# WORKFORCE INVESTMENT ACT

# STRATEGIC PLAN 2012-2016



September, 2012

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As the Governor, I certify that for the State of Maine, the agencies and officials designated above have been duly designated to represent the State in the capacities indicated for the Workforce Investment Act, Title I, and Wagner-Peyser Act grant programs. Subsequent changes in the designation of officials will be provided to the U.S. Department of Labor as such changes occur.

I further certify that we will operate our Workforce Investment Act and Wagner-Peyser Act programs in accordance with this Plan and the assurances herein.

Paul Relage

Typed Name of Governor: Paul R. LePage, Governor

Signature of Governor

Date September 6, 2012

# WORKFORCE INVESTMENT ACT STRATEGIC PLAN 2012-2016



It is time for us to take bold action. Maine has the best and brightest people to move the state forward and there is no better time to start the movement. All hard working Maine families deserve to have access to the tools that will help them realize their dreams and achieve them. My vision for Maine is one where all of our citizens prosper now and into the future.

Governor Paul R. LePage

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### **Section One: Strategic Plan**

### Maine's Vision and Strategy for a Revitalized Workforce Development System

### MAINE IS OPEN FOR BUSINESS

After taking office in 2011, Maine Governor Paul LePage unveiled a new sign on the Maine Turnpike that read, "Maine: Open for Business." At the time, the Governor also stated, "It is critical that we work directly with Maine's business community to get input and feedback on what we can do to improve job creation in our state. Mainers deserve prosperity, and state government must be a partner to the business community, and not an adversary, in order to get Maine people back to work."

To that end, Governor LePage held a series of Job Creation Workshops with Maine's business community in 2011 and 2012. The seminars were designed to bring business leaders together to share ideas and concerns about government policy. There was a consistent message from the businesses at each of the workshops. Many businesses had open positions, but they were having trouble filling the jobs due to a lack of qualified applicants.

The Governor then asked what the publicly funded workforce development system was doing to address the skills mis-match impacting businesses looking for workers, and citizens looking for jobs. Upon closer examination of the workforce system's performance, the Governor was shocked to find out that less than twenty percent (20%) of the funding was being spent on training (tuition, OJTs, customized training) for participants. In addition, two of the four Local Workforce Investment Boards had been placed in "High Risk Grantee" status, based on federal monitoring of their fiscal performance. The Governor was also concerned about inconsistent program policies across the state, developed by four separate boards, as well as inconsistent customer service and accountability.

As a result, on December 13, 2011, Governor LePage spoke to the Maine Jobs Council (MJC), which serves as the State Workforce Investment Board (SWIB), and articulated his vision for the workforce development system in Maine. He said his primary objective was to maximize the return on investment for federal and state training funds for Maine's citizens and employers. The Governor's stated goals for Maine's workforce development system include:

- Expand the available funding for job training; Require a minimum percentage of funds spent on occupational skills training;
- Increase the number of individuals who would not otherwise be served by ensuring the appropriate level of administrative overhead;

- Be more relevant to businesses; Increase involvement of private sector with the workforce development system;
- Expand business and community input at the local level and to the State Workforce Investment Board;
- Increase consistency of state-wide core customer service, accountability and policies, and;
- Increase coordination with local Economic Development agencies and other sources of economic development activity.

In order to achieve the Governor's vision, Maine has developed a new Strategic Plan that focuses on three key elements: a revitalized State Workforce Investment Board that is business led and data driven; a restructured workforce investment system that is effective, efficient and accountable to Maine's citizens and relevant to Maine's businesses, including re-designated local workforce investment areas; and Industry Partnerships, directed by business needs, as the cornerstone of the workforce development system. The Governor charged the SWIB with developing a Strategic Plan that actualizes this vision. Along with the WIA Plan, Maine is submitting a waiver to the United States Department Of Labor, Employment & Training Administration (USDOL ETA) asking that the State Workforce Investment Board be given the authority to carry out the roles and functions of the Local Workforce Investment Boards.

The first step in achieving the Governor's objectives was to submit legislation to change the membership composition of the Maine Jobs Council to reflect the required partners listed in the Workforce Investment Act. Governor LePage submitted LD1874 (Attachment 8) that accomplished three basic things: changed the name of the MJC to the SWIB, changed the status of two committees from ad hoc to standing (Older Workers and Veterans), and adjusted the membership to be in alignment with the WIA requirements. LD 1874 was enacted by the Maine House of Representatives and Senate and signed by the Governor on April 12, 2012. It became public law on August 30, 2012.

The next step was for the Governor to consult with the SWIB, as well as the Chief Local Officials representing the Local Workforce Investment Boards (LWIBs), regarding the redesignation of the local areas. The Governor or his designee met with the SWIB on December 13, 2011, January 27, 2012, March 3, 2012, and April 6, 2012. Governor LePage met with the Chief Local Elected Officials representing the LWIBs on February 7, 2012. The Governor also met with the Local Workforce Investment Board Directors, on October 6, 2011, and scheduled two follow-up meetings with the LWIBs, which ultimately did not occur. While there was some disagreement about the re-designation of the local areas and a new governance structure, all agreed that we need the system to perform better for Maine's citizens and businesses. The Governor was firm in his commitment to modernize the structure and improve the performance and accountability of the system in Maine. The new plan developed by the SWIBwas posted for public comment. All of the comments received regarding the new WIA Strategic Plan were reviewed the Governor.

Another required step in the process was to modify and extend the current WIA Strategic Plan to include the changes made by LD 1874, followed by giving the new members of the SWIB a chance to understand the roles and responsibilities of the system partners as they worked to develop a new WIA Strategic Plan. A request to extend the current plan was submitted along with the request to modify the plan with respect to LD 1874. The USDOL ETA has granted both the extension and modification requests.

What follows in this document is the State of Maine's plan to restructure the workforce development system to provide the maximum return on investment for Maine's citizens and businesses.

# MAXIMIZING THE RETURN ON INVESTMENT FOR FEDERAL AND STATE JOB TRAINING FUNDS FOR MAINE'S CITIZENS AND EMPLOYERS

On December 13, 2011, Governor Paul LePage met with the State Workforce Investment Board to discuss his vision for the workforce development system in Maine. His primary objective is to maximize the return on investment for federal and state training funds for Maine's Citizens and Employers.

The Governor's goals for Maine's workforce development system include

- Expand the available funding for job training; Require a minimum percentage of funds spent on occupational skills training;
- Increase the numbers of individuals who would otherwise be served by ensuring the appropriate level of administrative overhead;
- Be more relevant to businesses; Increase involvement of private sector with the workforce development system;
- Expand input at the local level and to the State Workforce Investment Board;
- Increase consistency of state-wide core customer service, accountability and policies, and;
- Increase coordination with local Economic Development agencies and other sources of economic development activity.

Governor LePage highlighted three specific points to focus on:

- 1) A revitalized State Workforce Investment Board:
  - Private sector, demand driven
  - New membership
  - Leadership from the Governor's Office
- 2) A restructured workforce development system:
  - Re-designate the four local workforce areas to eight, to align with the Chamber of Commerce Regions, and contract with the Chambers as primary conveners of the business community at the local level. By utilizing natural business intermediaries like the Chambers of Commerce to convene and facilitate local meetings, the workforce development system will be connected to the private sector and local economic development activity. Chambers will be providing additional value to businesses in their region through a connection with the workforce development system and policy makers in Augusta.

- Submit a waiver for the SWIB to carry out the roles and functions of the LWIB. This insures that all of the responsibilities of the Local Workforce Investment Boards are covered and we are complying with the requirements of the Workforce Investment Act.
- Develop new measures that speak to Maine's workforce development goals and guide the restructured system. This holds the new system accountable to perform according to Maine's goals and not just the federal funding performance requirements.
- 3) Industry Partnerships as a cornerstone of Maine's workforce development strategy:
  - The Partnerships will drive the system from identifying skill gaps and human resource needs in targeted industries and high priority occupations to training workers and developing career ladders.
  - The Industry Partnership model will shift Maine's workforce focus to one that is industry-led, demand driven and regional in nature.
  - As Partnerships work to solve workforce challenges within their industries, they are helping to improve the local, regional and statewide economies.

### 1) A Revitalized State Workforce Investment Board

Governor LePage has made Jobs Training a top priority for his administration. As such he has revitalized the State Workforce Investment Board (SWIB), formerly called the Maine Jobs Council.

In the recent legislative session, Governor LePage submitted LD 1874, "An Act to rename the Maine Jobs Council as the State Workforce Investment Board and Make Changes to its Structure." LD 1874 was enacted by the Maine House and Senate and signed by the Governor (Public Law 2011 Chapter 627) on April 12, 2012 (Attachment 6).

LD 1874 did three things. As the title implies, it changed the name of the organization from the Maine Jobs Council to the State Workforce Investment Board; it changed the required membership of the SWIB to that which is listed in section 111 of the Workforce Investment Act; and it changed the status of the Older Workers and Veterans Employment committees from ad hoc to standing committees and changed the name of the technical support group to the Program Policy Committee, with required members listed in section 121 of the Workforce Investment Act. (Attachment 1 lists the new SWIB membership.)

### 2) A Restructured Workforce Development System

Re-designating Local Workforce Investment Areas

The current Workforce Investment System was designed in the late 1990s and is in desperate need of modernization. Using the benefit of a dozen years of experience, Governor LePage has prioritized re-designating the current four Local Workforce Investment Areas to align with the eight Chamber of Commerce regions (Attachment 2). This will effectively increase local business input to the workforce development system, the education community, the Governor and his Cabinet, and the SWIB. It will also align the work of the SWIB with the challenges and goals of the regional areas.

The Workforce Investment Act requires that the Governor utilize a threefold process.

- 1. The Governor must consult with the SWIB. Governor LePage and/or his designee, John Butera, Senior Policy Advisor for Workforce and Economic Development, met with the State Workforce Investment Board on December 13, 2011, January 27, 2012, March 2, 2012, and April 6, 2012, to discuss the administrations vision for workforce and economic development in Maine. The Governor has highlighted key points to consider: a revitalized State Workforce Investment Board that is demand driven, a restructured workforce development system that is more relevant and responsive to private sector job creators and performance measures that speak to Maine's workforce goals and guide the outcomes of the system. The Governor also stressed the importance of integrating education programs with the activity of the workforce development system.
- 2. The Governor must consult with the Chief Local Elected Officials. On February 7, 2012, Governor LePage met with the Chief Local Elected Officials concerning the re-designation of the current four Local Workforce Investment Areas. The Governor desires that we increase private sector input to the workforce system, and as such wants to increase from four to eight Local Areas that align with the Chamber of Commerce Regions. Each region has multiple Chambers that can work collaboratively to the benefit of the region. This design allows for Chambers of various sizes and capacities to participate.
- 3. The Governor must take into account the comments received regarding the modified WIA State Strategic Plan. From August 18, 2012 to September 2, 2012, the SWIB accepted public comments regarding the new Plan. The public was notified of the comment period by e-mail announcements to interested parties as well as posting on the old Maine Jobs Council website and the new State Workforce Investment Board website.

### WIA State Strategic Plan Development Process

The Governor and/or his staff attended SWIB meetings to inform the members about his vision for workforce development in Maine. The SWIB membership engaged in discussions about the Governor's plan at the December 13, 2011, January 27, 2012, March 3, 2012, and April 6, 2012 full Board meetings. Members' and guests' questions, comments and concerns were recorded and provided to the Governor's office.

At the April 6 meeting, SWIB members were asked to volunteer to be part of one of three SWIB workgroups. One group worked to revise the Maine Jobs Council By-Laws to reflect the needed changes from LD1874. Another group worked to develop measures that are meaningful to Maine's workforce development goals and will guide the performance of the new system. The third workgroup was asked to help develop the WIA State Plan. Fifteen SWIB members volunteered to be part of the State Plan workgroup which was staffed by the SWIB Director. The workgroup met, either in person or by Polycom (interactive television), every other Wednesday afternoon, from April to July (Attachment 3 shows the workgroup meeting schedule). Attendance was excellent, and the discussions at each meeting were focused and informative regarding the plan.

The SWIB also solicited input from the new Chamber of Commerce regions. During the months of July and August, the SWIB Director, along with the Deputy Commissioner of Labor, met with the leadership teams in each of the eight regions. Attending the meetings were the regional Chamber of Commerce Executive Directors (Attachment 5), Department of Economic & Community Development (DECD) Governor's Account Executives, CareerCenter Managers, and Service Provider leadership. The goal of the sessions was to provide information related to the Governor's Plan and answer any questions that the Chamber Executives have, as well as to capture ideas, comments, and concerns, and their input is reflected in the draft plan.

The completed Draft Plan was presented for the full SWIB's approval at the August 17, 2012, SWIB meeting. The SWIB voted to approve the plan and recommend it's submission by the Governor to the Employment and Training Administration (ETA). The plan was posted on both the Maine Jobs Council website (maine.gov/labor/mjc/index) as well as the new State Workforce Investment Board website (maine.gov/swib) for a sixteen day public comment period. All of the comments received were collected and forwarded to the Governor's office for his review, as well as included in the plan submission to the ETA.

### The SWIB to Carry Out the Roles and Functions of the LWIB

Once the Governor has re-designated the local workforce investment areas, the next step is to establish a Local Workforce Investment Board in each area. Governor LePage is interested in designating the State Workforce Investment Board to carry out the roles

and functions of the Local Workforce Investment Boards, required by the Workforce Investment Act, in the newly designated regions. This will reduce the administrative cost associated with the current LWIB structure. Any savings captured by reducing administrative costs would result in more of Maine's citizens being served and more available funding for occupational skills Training. Attachment 4 shows how the functions required of the Local Workforce Investment Boards will become the responsibilities of the State Workforce Investment Board, the Bureau of Employment Services, the State Workforce Agency, the Department of Administrative and Financial Services, the Center for Workforce Research & Information and the Chambers of Commerce.

The SWIB will provide policy oversight and advise the Governor and Legislature on matters related to workforce development. The SWIB will establish a Youth Council to coordinate youth activities authorized by the Act, conduct oversight regarding youth service providers, and other duties connected to youth programming as appropriate. The Department of Labor will be responsible for contracts with service providers, technical assistance, promotional materials, program performance, monitoring and evaluation. The current service providers will remain in place as will the existing CareerCenter locations. Secondary and post-secondary Education organizations will continue to provide diplomas, degrees, and certificates for the various training programs they administer.

In Maine, County Commissioners are the <u>Chief Local Elected Officials (CLEOs)</u> as defined in Title I of the Workforce Investment Act. Local elected officials are critical to the creation and implementation of WIA adult, dislocated worker, and youth programs, as well as local workforce system development and implementation.

The Act and USDOL regulations make it clear that Chief Local Elected Officials (CLEOs) are responsible and liable for WIA program funds. Further, the Act and regulations indicate that all significant program and system building decisions involve these CLEOs.

Section 117(d) of the Act indicates that the CLEO "may designate an entity to serve as a local grant sub-recipient for such funds or as a local fiscal agent." The fiscal agent is the agent for the local government grant recipient (the CLEO). As such, the fiscal agent will receive the funds from the State and will be responsible for the legal use of those funds under WIA. The fiscal agent, however, does not make the decisions about who gets the money or how the money is spent. This section also indicates that this entity "shall disburse such funds for workforce investment activities at the direction of the local board..." As a result, the responsibility of this entity is to assist in the administration of WIA grant funds under the direction of the WIA Board and CLEO. However, because the CLEO is liable for any misuse of these grant funds, the WIA fiscal agent is to disburse funds at the direction of the WIA Board, "if the direction does not violate a provision of this Act." Therefore, WIA fiscal agents may perceive as their primary responsibility the need to ensure the Act is not being violated.

The WIA fiscal agent must utilize WIA program funds for a variety of activities. These include fiscal agent functions; core, intensive and training services; WIA Board staff and expenses; youth services; and funding a proportionate share of the cost of the One Stop system and services. In addition, there is a cost limitation of 10% for administrative costs.

According to the Act, the local board is to develop a budget to carry out these activities, subject to approval of the CLEO. Therefore, the fiscal agent needs to be provided a budget developed by the WIA Board and approved by the CLEO determining appropriate amounts for each of these activities at least yearly.

It is important to understand that the fiscal agent does not have unlimited discretion. The Act indicates that the fiscal agent is to "disburse funds immediately on receiving such direction from the local board..." The only discretion available to a fiscal agent in funding decisions is to ensure that its actions are consistent with the approved budget and do not violate the Act.

A new partner in the restructured workforce development system will be the <u>Chambers of Commerce</u>. Chambers will be asked to convene business representatives and local stakeholders interested in workforce development activity. Attachment 9 outlines examples of the activities that the Chambers will carry out.

Through quarterly meetings, job fairs, regional surveys, listening sessions, and industry partnerships, the Chambers will facilitate the discussion of the human capital needs of area employers, aggregate the demand for the region, and communicate the information and data to the workforce system partners for attention and action. CareerCenter managers and Department of Economic & Community Development's Governor's Account Executives will provide support and technical assistance to the Chambers at the local and regional level. The State Chamber of Commerce will act as the fiscal agent for the local Chambers of Commerce, which will be reimbursed for any expenses specifically associated with the new workforce development activity.

By utilizing natural business intermediaries like the Chambers of Commerce to convene and facilitate local meetings, the workforce development system will have a greater connection to the private sector job creation community, and local economic development activity. There are presently sixty-eight (68) Chambers in Maine, representing over sixteen thousand (16,000) members, which is thirty-four (34) percent of Maine's businesses. By utilizing the Chambers in the eight regions we effectively double the number of meetings in the local areas and reduce the distance that businesses and system stakeholders will have to travel to attend meetings in their region.

In the current system configuration, the conversation is dominated by service providers. With the assistance of the Chambers across the state, we expect to increase the participation of the business community, and have theirs be the leading voice in the

workforce development discussion. Chambers of Commerce will provide additional value to businesses in their region through a connection with the workforce development system and policy makers in Augusta. This will be an added service to current members as well as a new activity to attract potential new members.

### <u>Develop Measures That Speak To Maine's Workforce Development Goals;</u>

While all job training funding comes with performance requirements, the measures vary for different programs. This makes it difficult to compare program results and determine which efforts produce the best return on investment.

Governor LePage has asked the SWIB to develop a set of performance measures that speak to Maine's goals for its workforce development system. This holds the new system accountable to perform according to Maine's goals, and not just the federal funding performance requirements. The measures cut across departmental boundaries and provide an apple to apple comparison when making programmatic or funding decisions.

The SWIB is responding to the Governor's request and has developed a comprehensive series of metrics to monitor and evaluate its newly restructured workforce development system. The various metrics will first be used to establish baselines for future trend analysis and program performance. The intent is to utilize these metrics in what will be a highly data-driven system—both in determining need, and in measuring adjusting for performance. The metrics can best be summarized as comprising three major components:

- 1. Chamber Region Economic Impact Analysis,
- 2. Workforce Development Program Scorecard, and
- 3. Employer/Business Services Scorecard.

### The Chamber Region Economic Impact Analysis includes:

- chamber Region Workforce Statistics, including labor force, trending unemployment rates, number of business establishments, trends in number of jobs, average wage per worker and total wage growth, as well as Chamber of Commerce membership and penetration statistics, all broken out by region;
- b. Employment by industry by Chamber Region, in absolute numbers and percentages;
- Average annual wages by industry by Chamber Region, as a percent of the Statewide Average and compared to prior years for trending analysis purposes;
- d. Educational advancement, economic development, and demographic statistics by Chamber Region; including population by age group, personal income, and educational attainment in absolute numbers and percentages; all detailed by Chamber Region;

The <u>Workforce Development Program Scorecard</u> includes all programs funded by federal, state or other monies inclusive of all agencies that impact workforce development, e.g., Labor, DHHS, Education, the University System, Community College System, etc. As new programs develop, they will be added to the Scorecard.

- a. All Programs will be summarized by state, utilizing the nine common measures where applicable;
- b. They will also be measured on a Dollars Spent on Training as a percent of Total Program Funds, where available and relevant and;
- c. Return on Investment will be measured, both from a taxpayer and participant's perspective; and
- d. Collaboration amongst agencies will also be a measured outcome.

We also intend to detail all programs by Chamber Region, as long as this data is deemed relevant and obtainable.

As direct comparisons among programs on an ROI or other basis could potentially be misleading due to different target populations served by different programs, one page summaries for most of the programs, detailing purpose, objectives of the program, goals, targeted population, performance vs. goals, and trending analyses, will also be prepared on an annual basis.

### The Employer/Business Services Scorecard includes:

- a. Some measure of employer satisfaction by Chamber Region;
- b. Chamber activity indicators, including various elements of workforce development activities, meetings and programs;
- c. CareerCenter (American Job Center) activity measured by each Region;
- d. DECD activity as it pertains to workforce development by Region;
- e. Industry Partnership activity and measurements on a Region by Region basis;
- f. Measurement of other partners/collaborators as they interact with various businesses, detailed by Chamber Region. Examples of such partners would include Adult Education, Career & Technical Education and Community Colleges.
- g. Other measures to be captured which would indicate effective interfacing with Employers by Region, e.g., businesses served, OJTs, and apprenticeships, to name a few.

Whenever possible and relevant, the data will be captured on a quarterly, or otherwise on an annual basis, and summarized in a series of "Dash Board" formats for SWIB Board Members, workforce system stakeholders, Chambers of Commerce and membership, non-member businesses, and service providers.

The metrics are detailed in Attachment 16 Scorecard.

These metrics are intended to (a) facilitate trending performance, (b) identify Region "successes" which can be cross pollinated to other areas through best practices, (c) highlight regional needs, either due to economic or performance issues for each of the Chamber Regions, and (d) target resource allocation to specific Chamber Regions, based upon needs, where allocation of program funds are discretionary. The utilization of this new Chamber Region breakout will allow us to determine needs more effectively due to geographic differences (rural vs. urban), as well as industrial distinctions (e.g. agricultural, forestry & recreation vs. financial service industry) and develop the appropriate programs, revenues, and expenditures for the appropriate Region.

### 3) Industry Partnerships as the Cornerstone of Workforce Development Strategy

At the core of the new workforce development strategy called "Industry Partnerships" is the recognition that Maine needs a better understanding of the key industries that support its economy. Once identified, the workforce system needs a more thorough understanding of the human capital challenges, technological trends, and global competition facing Maine's employers. Developing this industry-focused approach requires that significant resources be devoted to organizing employers in critical industries and providing the skills training necessary to bring their workforce up to competitive standards. These partnerships will then become the cornerstone of a new, demand-driven system that will provide information and intelligence to workforce, education, and economic development agencies. (see Attachment 22)

In an effort to build and retain a skilled workforce and increase the available labor pool, the Industry Partnerships will address workforce priorities, such as pipeline and career ladder development. By collaborating on best practices and addressing some of the industry's most fundamental training and skill development needs, Maine's Industry Partnerships will create a unified and comprehensive effort. It is our goal that the tools, resources, human-capacity building, and organizational structures emerging from the activities of Maine's Industry Partnerships be viewed by other Maine industries as best practice in sector strategy initiatives.

Industry Partnerships are critical to the competitiveness and productivity of Maine's work force because they account for the needs of employers, the needs of training and educational providers, and the needs of Maine's overall workforce. By creating a system that focuses not only on moving incumbent workers up career pathways, but also training dislocated and unemployed workers to fill lower-level positions, we are enabling companies to remain solvent even in tough economic times.

Future opportunities for ongoing collaboration between the Maine Industry
Partnerships and the workforce development/education systems are endless. However,
any efforts must be approached in a long-term, comprehensive way with attention to a

structure that can identify and act on the common interests of a large and varied set of stakeholders.

### SERVICE TO TARGETED POPULATIONS

Maine will adhere strictly to the Workforce Investment Act requirements regarding serving targeted populations.

Maine will pay particular attention to older workers, veterans, low and moderate income individuals (LMIs), and youth. Since we are the oldest state per capita in the nation, we need to be leaders in innovative workplace policies that encourage seasoned workers to stay engaged in the workforce. Maine was fourth highest (per capita) in terms of military deployment in the latest conflicts, and our veterans deserve the very best service we can provide. Maine needs to keep our younger population here in Maine. Students must be able to get the education they need to access the employment opportunities that exist here in our state. Governor LePage has spoken about his difficult upbringing, and as such has focused on education as the pathway to opportunity for Maine's youth.

Additionally, customer integration is a given in our system. The SWIB and its standing committees continue to assert that age, gender, ability and disability, and veteran status cut across all populations and that any policy or program that addresses a specific population will touch youth and/or the elderly, men and/or women, veterans and non-veterans, and their respective families and communities.

### **Older Workers**

Maine's population and workforce continue to age rapidly. In fact, Maine contains the nation's oldest population with the highest median age of 41.5. During the 2008-2018 period, the 55+ population in the U.S. workforce is expected to grow by 12 million, or 43%. By 2018, nearly one quarter of the labor force will be age 55 and older. This trend is largely attributed to the aging of the "Baby Boomers," lowered birth rates, and longer life expectancies.

Maine's decline in younger workers will lead to a projected number of labor shortages in a growing number of sectors of the economy. Traditionally, retirement occurs at age 65. However, without enough younger workers to replace the retiring workers, sustaining economic growth within the state becomes more difficult. Only if people over age 65 remain in the workforce can there be growth in the labor force and a better possibility of offsetting the shortage problem.<sup>3</sup>

<sup>&</sup>lt;sup>1</sup> U.S. Census Bureau. "Data Profile Highlights." 2006-2008 American Community Survey 3 Year Estimates. 28 August 2010 <a href="http://factfinder.census.gov/servlet/ACSSSFFFacts?">http://factfinder.census.gov/servlet/ACSSSFFFacts?</a> event=Searcg&geo id=01000US& geoContext=01000US& street=& county=& cityTown=& state=04000US23& zip=& lang=en& sse=on&ActiveGeoDiv=geoSelect& useEV=&pctxt=fph&pgsl=010& submenuld =fact

<sup>&</sup>lt;sup>2</sup> United States Department of Labor. "Employment Projections: 2008-2018 Summary." <u>Bureau of Labor Statistics.</u> 1 June 2010. <a href="http://www.bls.gov/news.release/ecopro.nr0.htm">http://www.bls.gov/news.release/ecopro.nr0.htm</a>

<sup>&</sup>lt;sup>3</sup> Colgan, Charles S. "Maine's Aging Economy and the Economy of Aging." <u>Muskie Publications</u>. Sept. 2006 Muskie School of Public Service. 28 August 2010. http://muskie.usm.maine.edu/Publications/MaineAgingEconomy.pdf

Finally, many workers intend to continue to work beyond traditional retirement age. Research shows that 68% of workers between the ages of 50 and 70 who have not yet retired report they plan to work in some capacity into their retirement years, or never retire.<sup>4</sup>

### Youth

In the spring of 2012 Governor LePage said "We all know that education and economy are two of the same – there is little success of one without the other. And in today's competitive world, it is not enough to be college ready. We must also be preparing our students to be career ready." He added, "It is important to note that our K-12 education system serves some students well, and many of those graduating from our high schools will go on to even greater success in life. But the system is simply not doing well enough. It is simply failing for too many of our kids. That is why I have made education a top priority for my administration."

The Governor's overall strategy for Maine's youth programs under WIA are to incorporate strong linkages to employers, increase emphasis on academic learning as it relates to workplace skills, increase focus on youth development activities, and increase emphasis on serving out-of-school youth. We will accomplish this vision by focusing on five key goals for our overall Youth strategy:

- 1) Improving on-time high school completion and increasing numeracy and literacy skills
- 2) Preparing for success in employment
- 3) Providing supports for youth
- 4) Strengthening services to develop the potential of youth as citizens and leaders
- 5) Developing and maintaining partnerships and alliances to leverage Maine's limited resources

### Low and Moderate Income Individuals (LMIs)

While our WIA programs have always served individuals who are low income, and we have always made sure to leverage other training and support service dollars when possible, as we do for participants co-enrolled in WIA and TANF, we have recognized that other efforts are needed to serve as many low and moderate income individuals as possible. To this end, the SWIB has representation now from public housing and TANF who serve on the Program Policy Committee. The objective is to strengthen our partnerships with those programs serving LMIs. We also have a further objective of achieving program integration whenever possible. A more in depth discussion of our plans to integrate SNAP, TANF, and WIA services can be found in the operational plan section addressing low income and disadvantaged adults.

<sup>&</sup>lt;sup>4</sup> Perrin, Towers. "The Business Case for Workers 50+: Planning for Tomorrow's Needs in Today's Competitive Environment." <u>AARP</u>. 2005. 4 June 2010. <a href="http://assets.aarp.org/rgcenter/econ/workers">http://assets.aarp.org/rgcenter/econ/workers</a> fifty plus 1.pdf

We recognize that many LMIs are people whose current job skills are no longer in demand, either because the industries they were employed in have essentially vanished from Maine or because the new and emerging economy requires more skills and training than these individuals have acquired. In any case, we are committed to continuing to ensure that we serve people whose incomes meet either formal definitions of low and moderate income (for example, the FDIC definitions used by HUD to determine eligibility for publicly funded housing assistance programs) or who meet the profile of low and moderate income due to their occupational skill and ability to earn a living wage.

In addition, Maine established the Competitive Skills Scholarship Program (CSSP) in 2007, to fill the "eligibility gap" for individuals who were over-income for certain public assistance programs but who needed job training. Income guidelines were set at 200% of the federal poverty level, well above the threshold for TANF, and above the limits available for Mainers through WIA. The purpose of the CSSP is to enable income-eligible people to pursue occupational credentials, up to a bachelor's degree, in high wage high demand occupations. Those occupations are identified by the Maine DOL's Center for Workforce Research and Information and updated every two years. The list is due to be revised later in 2012. The One-Stop CareerCenters are the entry point for application to the CSSP, and we will continue to work with low and moderate income individuals through any means available, including WIA, TANF, and CSSP.

### Veterans

The LePage Administration has a strong focus on service to Veterans. Maine's First Lady, Mrs. Ann LePage, is a passionate advocate for soldiers and military families. She is constantly in attendance at events like Veteran's Memorial dedications, VFW conventions, and the Wreaths Across America effort. The First Lady rode with the Patriot Guard Riders who escorted tractor-trailers filled with Maine-made balsam wreaths. This is the twentieth consecutive year that Morrill Worcester, owner of Harrington, Maine-based Worcester Wreath Company, has traveled to Arlington to lay wreaths on gravestones, and it is the first time someone from Maine's first family has joined Morrill and Karen Worcester for the trip to honor deceased veterans at Arlington.

The Jobs for Veterans State Grant, (JVSG) is a non-competitive USDOL funded program that provides over \$800,000 annually to Maine, supporting 10.5 FTE veterans staff positions. Maine has three full-time and four half-time Disabled Veterans Outreach Program specialists (DVOPs), and four full-time and one half-time Local Veterans Employment Representatives (LVERs), working within 12 CareerCenter offices in Maine. There is one LVER who serves as the state Veterans Program Manager based at the central office in Augusta. In addition, these veterans' representatives provide outreach to veterans at the numerous itinerant locations across Maine. The flow of veterans through our CareerCenters (One-Stop Centers) has averaged over 8,000 per year over the past few years, with almost one half of that count being unemployed. With only 12

(JVSG funded) Veterans' Representatives scattered throughout the Maine CareerCenters to serve this flow of veterans, it has been extremely challenging just to help the "walkins." No veteran coming to a Maine CareerCenter has ever been turned away.

The LVERs and DVOPs are "Veteran Advocates" for employment and training opportunities with Maine industries, businesses, and community-based organizations. Over the past three years, they actively participated in job and resource fairs, where they promoted services for and the hiring of Maine Veterans. This is a core task of a LVER, along with monitoring of federal contractor job listings, and will continue to be into the future. Additionally, Maine LVERs provide and facilitate a full range of employment and training services (as appropriate) to meet the needs of newly separated Maine National Guard redeploying members and other veterans in the workforce development system. Some of these services include intake and assessment, counseling, testing, vocational guidance, job referral, coordination, and job search assistance workshops.

### **People with Disabilities**

This state can rightly claim a long standing and abiding concern with the employment of people with disabilities. An estimated 206,400 people with disabilities reside in Maine, and approximately 54% of those residents are working age adults. In collaboration with the CHOICES CEO Project, the SWIB's Commission on Disability and Employment issues an annual "Snapshot" featuring data highlighting employment participation, economic well-being, employment services, and effects on the Maine economy relative to our residents with disabilities. This report can be found at <a href="http://www.maine.gov/labor/cwri/publications/Word/Snapshot2012MaineWorkersWithDisabilities.docx">http://www.maine.gov/labor/cwri/publications/Word/Snapshot2012MaineWorkersWithDisabilities.docx</a>

This collaborative report is only one example of the attention we are affording to employing individuals with disabilities. The Operational Plan in Section Three of this plan contains a detailed discussion of our current and proposed efforts to address and improve the employment circumstances of people with disabilities.

Unlike some states, our Vocational Rehabilitation Services are administered by the Maine Department of Labor, rather than the Department of Education. This bureaucratic arrangement reflects our commitment to making the employment of people with disabilities a priority.

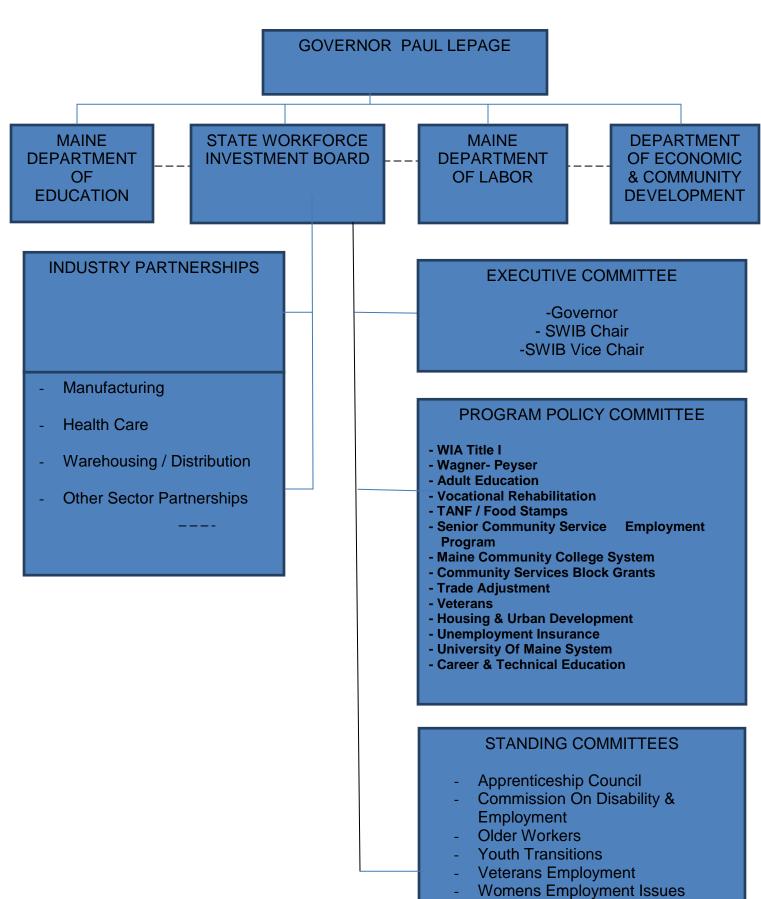
The Bureau of Vocational Rehabilitation works in tandem with the Bureau of Employment Services (BES), as well as programs in the Maine Department of Health and Human Services to advance the Business Leadership Network (BLN), an initiative to facilitate a demand-driven, business led program to encourage employers to hire people with disabilities. The BLN was a perfect segue from BES's successful Disability Program

Navigator program (DPN), which then served as a model for Maine's Aging Worker Initiative.

Please see the discussion of people with disabilities in Section Three: Operational Plan.

Our bottom line is that there is too much talent among the population of people with disabilities to be squandered by our state. Programs that encourage youth with disabilities to transition to higher education and employment are a lynchpin of services within MDOL. Furthermore, the SWIB has received a recommendation that our program performance measures include data on the participation and employment outcomes of people with disabilities. The BLN and DPN, along with our collaborations within state government and with outside entities speaks to our continuing commitment to better the lives of Mainers living with disabilities. The recommendation received a favorable response and the recommendation was referred to the SWIB's Program Policy Committee for final wordsmithing and presentation for a vote at its next scheduled meeting.

### MAINE STATE WORKFORCE INVESTMENT BOARD STRUCTURE



### STATE WORKFORCE INVESTMENT BOARD MEMBERSHIP

### The Governor

1 – Paul R. LePage

### Representatives of Business in the State (60.8% Majority)

2 – Frederick Webber Senior Gov. Affairs Counselor, Maine Street Solutions

3 – Wayne Holmquist Real Estate Entrepreneur

4 – Scott Good Senior Consultant, Crescendo Consulting Group

5 – Ed McKersie President, Pro Search

6 – Leo Roche President and Owner, New Fab

7 – Joanne Harris Director of Human Resources, Mt. Desert Island Hospital

8 – Susan Corbett CEO & CFO, Axiom

9 – Kevin Healey Vice President Human Resources, St. Mary's Health System

10 – Steve Pound Associate Director, Cianbro
 11 – Mark Adams President, Sebago Technics
 12 – Terry Young CEO, Puritan Medical Products

13 – Robert Carmichael Senior Vice President, Maine Savings Federal Credit Union

14 – Pending appointment Susan Hammond, Four Directions, Business

Representative of the Native Communities

### <u>Legislators</u> (2 members of each chamber of the state legislature) (Ex-Officio)

- Senator Thomas Martin Jr. District 25
- Senator Garrett Mason District 17
- Representative Amy Volk District 127
- Representative Peter Johnson District 27

### **Chief Local Elected Officials**

15 – Tom Davis Penobscot County Commissioner 16 – Gary McGrane Franklin County Commissioner

### Representatives of Labor Organizations

17 – Don Berry President, Maine AFL-CIO

18 – John Leavitt Business Manager, Carpenters Local 1996

### <u>Individuals or Organizations with experience with respect to Youth programs</u>

19 - Craig Larrabee President & CEO, Jobs for Maine Graduates

20 – Tracey Cooley Director of Academic Programs, Job Corps

# <u>Individuals with experience in the delivery of workforce investment activities including</u> <u>Community Based Organizations</u>

21 – Gerard Salvo Director of Workforce Solutions, Coastal Enterprises Inc.

22 – Mel Clarrage Advocate, Disability Rights Center

### State agencies / programs representing required partners

23 – Peter Pare, Director, MDOL, Bureau of Employment Services (*Program Policy Committee Chair*)

### **Program Policy Committee Members**;

- WIA Title I Peter Pare, Bureau of Employment Services
- Wagner-Peyser Peter Pare, BES
- Adult Education Gail Senese, Director of Adult Education, Department of Education
- Vocational Rehabilitation Carolyn Lockwood, Director, MDOL Rehabilitation Services
- TANF / Food Stamps Liz Ray, Program Manager, Dept. Health & Human Services
- Senior Community Service Employment Program Dan Muth, Program

  Manager. Able Network
- Carl Perkins Vocational Education Barbara Woodlee, Chief Academic Officer, MCCS
- Community Services Block Grant Activities Deb Neuman, Deputy Commissioner, DECD
- Trade Adjustment Act Peter Pare, BES
- Veterans Peter Pare, BES
- Housing and Urban Development William Burney, HUD Field Office Director
- Unemployment Insurance Laura Boyett, Director, MDOL Bureau of Unemployment Compensation
- University System Renee Kelly, Director of Economic Initiatives, University of Maine
- Career & Technical Education Margaret Harvey, Perkins Grant Coordinator

### State Workforce Investment Board's Standing Committees

The SWIB has seven standing committees. All but one address a specific population and its workforce issues. The exception, the Program Policy Committee, is composed of service providers and program representatives.

- Apprenticeship Council
- Disabilities and Employment (Commission on Disability and Employment)
- Older Workers
- School to Work (Youth Transitions)
- Veterans Employment
- Women's Employment Issues
- Program Policy

Each committee has a staff person assigned to it. Committee staff handle logistics, arrange meeting space, take and distribute meeting minutes, and function as a general resource to each corresponding committee. Under the newly restructured SWIB, committees will work more closely with one another under the guidance of a SWIB staff person. The committees will focus on finding common policy areas and collaborating to ensure that their recommendations are compatible with the state's workforce development plans. The Program Policy Committee will be the locus for these recommendations and will carry the other committees' recommendations forward for full SWIB consideration.

The Apprenticeship Council, which conforms to federal registered apprenticeship program requirements, assists and advises the Department of Labor and represents the Maine Apprenticeship Program to the SWIB. Among its duties, the Apprenticeship Council partners with the stakeholders in the state's workforce investment system to promote registered apprenticeships as a key talent development method serving workers, employers, and industries. Apprenticeships will be a vital component of job training under the SWIB's industry partnerships. Most recently, the Apprenticeship Council supported the efforts of the Maine Department of Labor to restructure the Maine Apprenticeship Program to conform with new federal requirements, which included a comprehensive legislative amendment to the existing statutes related to apprenticeship. The Director of the Maine Apprenticeship Program staffs the Apprenticeship Council.

The Commission on Disabilities and Employment (CDE) was established by the legislature in 1997 and promotes collaboration with the public and private sectors to increase awareness and influence policy related to employment for people with disabilities. Its members envision a Maine workforce that includes all people with disabilities employed in jobs that meet both their economic and personal needs. The CDE issues a formal annual report that includes Recommendations to the Governor and Legislature. This past year, it assisted with the collection of public comments on the

state's Division of Vocational Rehabilitation plan. The Bureau of Rehabilitation Services provides a staff person for the CDE.

The Youth Transitions Committee works to identify, evaluate and support youth programs in Maine that need resources to sustain or expand their initiatives. The committee is composed of a diverse group of individuals dedicated to supporting and improving the lives of Maine youth. Membership includes state employees and representatives from the private and nonprofit sectors. Along with Jobs for Maine's Graduates, the Maine Department of Labor, and several private businesses, the School-to-Work Committee co-sponsored six "Maine Regional Education, Business & Community Stakeholders' Sessions" which provided an opportunity for approximately 150 individuals to affirm and refine the employment competencies used by youth service providers. In addition, the School-to-Work Committee developed a Youth Resources Guide that was distributed to youth through schools and service agencies. A staff person for this committee is provided by the Maine Department of Education.

The Older Workers Committee promotes the value of Maine's workers over age 55 through advocacy, education, and policy development to meet the needs of those workers and their employers. The Older Worker Committee instituted the "Silver Collar Employer Award" to recognize employers in Maine whose policies and practices match the needs of mature employees. In addition, this committee produced a status report on older workers in Maine, Maine's Aging Workforce: Opportunities and Challenges, which explores programs and policy strategies to make work an attractive option for seasoned, experienced workers who might otherwise consider retirement. The Older Workers Committee has also produced two very popular pamphlets, the CareerCenter Older Worker Resource Guide and an executive summary version of Maine's Aging Workforce. The Older Workers Committee is staffed by the Maine Department of Health and Human Services Office of Elder Services.

The Veterans' Employment Committee works to improve training and employment opportunities for Maine veterans, disabled veterans, and eligible spouses. The Committee focuses on building employers' awareness of the advantages of hiring veterans and will develop policy recommendations to increase the effectiveness and efficiency of veterans' employment and training programs in Maine. This Committee is collaborating with the Maine Military and Community Network, the Togus VA, and the Maine Department of Veterans Affairs to develop a web portal that provides a comprehensive array of resources, including education, training and employment, for veterans and their families. The Veterans Employment and Training Services Program Manager staffs this committee.

The Women's Employment Issues Committee highlights employment issues, develops recommendations to the SWIB, and supports initiatives that remove barriers preventing women in Maine from attaining complete economic success and security. In addition, the Committee proposes and promotes policies, programs, and legislation that provide

full economic opportunity for all Maine women. Over a five year period, The Women's Employment Issues Committee produced annual reports on the status of Maine women, Working Women in Maine, Indicators for Progress, featuring quantifiable benchmarks to measure, monitor, and evaluate Maine's progress in achieving that economic opportunity and security for all Maine women. This committee recently hosted a panel of women veterans. This committee is staffed by personnel from the SWIB.

The Program Policy Committee works on analyses, reports, and recommendations for workforce development in Maine. This committee is responsible for assisting in the preparation of the SWIB's annual report to the Governor and Legislature; developing recommendations for the Governor, Legislature, Cabinet Commissioners, and others; monitoring the performance of the workforce development system in Maine; and receiving and acting upon reports and recommendations received from other SWIB Committees. The Program Policy Committee members reflect the required members in Section 121(b)(1)(B) of the Workforce Investment Act: WIA Title I, Wagner-Peyser, Adult Education, Vocational Rehabilitation, Food Stamps and TANF, Senior Community Service Employment Program, Carl Perkins Vocational Education, Community Services Block Grant Activities, Trade Adjustment Act, Veterans, Housing and Urban Development, Unemployment Insurance, University of Maine System, Maine Community College System, and Career and Technical Education. The Director of the Bureau of Employment Services staffs the Program Policy Committee.

# PARTNER ROLES & RESPONSIBILITIES IN THE RESTRUCTURED WORKFORCE DEVELOPMENT SYSTEM

In the new structure proposed by Governor LePage, the State will request a waiver for the State Workforce Investment Board (SWIB) to carry out the roles and functions of the Local Workforce Investment Board. The following shows how the SWIB and the Department of Labor as the State Workforce Agency will assign those roles and functions.

### STATE WORKFORCE INVESTMENT BOARD

- 1. Submit a 5-year Local Plan to qualify for receipt of Workforce Investment Act Title I program funds
- 2. Select service providers for core and intensive program services for adult and dislocated workers
- 3. Clarify roles and responsibilities of board staff, fiscal agent, service provider, One-Stop Center or System Operators, and youth council and how interaction will occur among these parties
- 4. Designate or certify (a) One-Stop System or Center Operator(s)
- 5. Establish policies for services
- 6. Appoint youth council as a subgroup of the Local Board and coordinate workforce and youth plans and activities with the youth council
- 7. Assist in developing the statewide employment statistics system
- 8. Ensure effective connecting, brokering and coaching activities to assist employers
- 9. Coordinate activities with economic development and employers
- 10. Select and certify eligible youth providers on the youth council's recommendation
- 11. Assist Governor to develop the statewide employment statistic system
- 12. Coordinate workforce investment activities with economic development strategies plus develop employer linkages
- 13. Promote private sector involvement in the statewide workforce investment system
- 14. Conduct business in an open and public manner by making available to the public, on a regular basis, the plans, operations and performance record of the Workforce Investment Area.
- 15. Negotiate with local service providers to create and implement a MOU that includes a description of the local workforce development system, agreed upon service standards, partner responsibilities, and performance expectations

### BUREAU OF EMPLOYMENT SERVICES

- 1. Develop budget for funds allocated through the WIA grant administrative entity
- 2. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds
- 3. Establish policies for services

- 4. Approve Memorandums of Understanding
- 5. Negotiate and reach local performance measures for WIA Programs
- 6. Monitor programs for implementation of federal, state and local policies/procedures to ensure compliance
- 7. Negotiate local performance
- 8. Procure contracts or obtain written agreements
- 9. Identify, select and certify eligible training providers for adult & dislocated workers within the Workforce Investment Area
- 10. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds

### STATE WORKFORCE AGENCY

- 1. Disburse funds for Salaries, Contracts, Wages, Vouchers
- 2. Ensure independent audit of all Employment and Training programs
- 3. Receive funds
- 4. Sign contracts

### SERVICE CENTER

- Ensure accountability for expenditures of funds in accordance with OMB Circulars, Federal Regulations and State policies
- 2. Conduct financial monitoring of service providers
- 3. Respond to audit financial findings
- 4. Maintain proper accounting records and adequate documentation
- 5. Prepare financial reports
- 6. Provide technical assistance to sub-recipients regarding fiscal issues

### **CENTER FOR WORKFORCE RESEARCH & INFORMATION**

1. Assist in developing a statewide employment statistics system

### CHAMBERS OF COMMERCE

- 1. Ensure effective connecting, brokering and coaching activities to assist employers
- 2. Coordinate activities with economic development and employers

### The Eight Chamber Of Commerce Regions

### **Aroostook Region**

The Aroostook Region is composed of one large rural county, Aroostook, named from a Native American word meaning "Beautiful River." It is aptly nicknamed the "The Crown of Maine" because of its geographic location. This region is also known by several different names, including, "The Last Frontier of the East" or more commonly, just "The County." Aroostook County comprises almost 20% of the state's land mass. Bordering the provinces of Quebec and New Brunswick, geographically it is the largest county east of the Mississippi and in fact is larger than the States of Rhode Island and Connecticut combined.

This region's population is 72,200, with a labor force of 34,700; 31,350 of whom are employed and 3500 who are unemployed, for an unemployment rate of 9.7%. This is well above the state and national average of 8.2% (NSA). The population density is 10.8 persons per square mile (Maine = 43.1 persons/square mile).

This vast region is dominated by two agricultural features: the Northern Maine Woods and central and southern Aroostook's rolling farms. These features indicate two major economic drivers—the timber and paper industries and potatoes and broccoli. Previous generations found their livelihood through logging and farming. Even into the 1980s, the public schools' terms started in August to accommodate a break in September-October so the local students could help with the potato harvest. Dependence on farming and recreation means the Aroostook region's economy rises and falls with weather and the climate.

Generations of families in this region worked in the woods or potato fields. This is no longer the case. Many of the loggers are now from Canada and the fields are now worked by migrant farm workers and Native Americans from the two local tribes, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs. These two tribes, which have sovereign status, straddle the Maine-Canada border. Native Americans account for 1.7% of this region's population.

The St. John River Valley of this region runs along the border with Canada. Franco-Americans are the dominant ethnic group and the area's culture reflects the French heritage. Many people here still speak fluent French.

This region also relies heavily on recreation—the Allagash National Waterway flows from the northern border; snowmobiling and winter sports are linchpins of Aroostook's economy. Since 1999 the Maine Winter Sports Center has worked to create a sustainable model for rural communities. At the heart of this effort is the goal of creating a new economic and cultural model for Maine's rural communities, keeping

young families in The County and attracting businesses looking for a high quality of life for their employees. This community-run non-profit provides an epicenter for programs for all ages and serves as an economic engine for much of The County. The Maine Winter Sports Center hosts world class championship cross-country ski competitions that function as qualifying races for the Olympics. In addition to snowmobiling and Nordic and Alpine skiing, Aroostook entertains camping, hunting, ice fishing and dogsled racing.

Aroostook is home to the University of Maine in Presque Isle, the University of Maine in Fort Kent (UMFK), and the Northern Maine Community College (NMCC). At the secondary school level, this region contains five Career and Technical Education schools. Notably, UMFK and NMCC have formal articulation agreements offering a program in wind energy. There is a full service CareerCenter in Presque Isle and satellite offices in Houlton and Madawaska. There are nine local Chambers of Commerce in the Aroostook Region.

### **Downeast and Acadia Region**

Hancock and Washington Counties comprise the Downeast and Acadia Region. In general, these two counties have striking economic differences.

Acadia National Park is located on Mount Desert Island and Schoodic Point in Hancock County. Ellsworth is the county seat and most visitors to the park travel through Ellsworth. Almost all of the employers in this city are public agencies (including the park), service providing programs, retail sites, or hospitality/tourist oriented. Bar Harbor, the national park's "gateway town," is also a popular summer cruise ship port. In addition to the park and the tourism oriented towns, Mount Desert Island also has traditional hardscrabble coastal villages with their working families and wealthy "summer people." Due to the mix of residents and the access to a plethora of recreational locations, Hancock County has a noticeable creative economy, particularly in, but not confined to, Ellsworth.

Washington County, on the other hand, is quite remote. The land is dominated by vast blueberry barrens, rocky seashore, or forest. This area's once thriving boat building and seafood canning industries are no longer significant sources of employment. Logging, blueberrying, wreathmaking, fishing/lobstering, and tourism, which are all seasonal in nature, provide the bulk of employment opportunities, along with public service jobs—both governmental and private. It is believed that there is a thriving "underground economy" in this part of the state.

The majority of the blueberry rakers and wreath makers are migrant or seasonal workers. Some of the farmworkers have settled in Washington County, resulting in a small (1.4%) but visible Hispanic population. In addition, Washington County contains

two Passamaquoddy Indian Reservations, Pleasant Point in Eastport and Indian Township in Princeton. The Passamaquoddy, who account for 4.9% of this county's residents, are a sovereign nation living in the easternmost place not only in Maine, but in the United States. On its east, Washington County borders Canada.

This region's population is 87,400. This region has a labor force of 43,000; 38,000 of whom are employed and 5,000 who are unemployed, for an unemployment rate of 11.6%, well above Maine's average unemployment rate of 8.2% (NSA).

19.8% of this county's people live below the poverty line. Poverty and its attendant health implications give this county one of the youngest ages of mortality in the United States. Remoteness, lack of many good paying and year-round jobs, poor access to health and social services, a tradition of self-reliance, and above average age are other factors. Higher rates of diabetes, obesity, and substance abuse, particularly among the Passamaquoddy, are believed to be contributing factors to the distressing mortality rate. Washington County suffers from a high rate of drug addiction, not confined to the Native American population, related to the prescription drug Oxycontin.

Washington County has a smaller but vital tourist trade. Campgrounds, lakes and fishing areas, the St Croix River, state parks and Moosehorn National Wildlife refuge attract visitors who hunt, fish, camp, watch nature, and kayak.

The University of Maine in Machias and the private College of the Atlantic are the two four year post-secondary schools in the Downeast and Acadia Region. Washington County Community College is located in Calais, a city with a major US-Canada border crossing. There are three Career and Technical Education schools in this region, and CareerCenters in Machias and Calais and four satellite offices. There are thirteen local Chambers of Commerce in the Downeast and Acadia Region.

## The Maine Highlands Region

The Maine Highlands Region includes the cities of Bangor and Brewer on the Penobscot River, Moosehead Lake (Maine's largest lake) and its gateway town of Greenville, portions of the Northern Maine Woods, and numerous opportunities for hunting, fishing, camping, hiking, snowmobiling, cross country skiing, and other recreation. This region's most impressive natural feature is Baxter State Park, a 200,000-acre wilderness preserve. Trails lead up mile-high Mt. Katahdin, Maine's highest peak, and the northern terminus of the Appalachian Trail.

Bangor is the historic and cultural hub of the region. Nearby Orono is the home of the University of Maine. The Penobscot Indian Reservation on Indian Island and the Wabanaki Arts Center are located ten miles away in Old Town.

The Penobscot River is the longest of three Maine rivers renowned for whitewater rafting and flows almost in the shadow of Mt. Katahdin.

Millinocket, once a lumbering colony, serves as a hub for visitors to Baxter State Park and is a four-season recreation destination. This is the spot to plan your remote fishing, wilderness camping, hiking, and hunting expeditions.

This region's population is 171,200, approximately 44,500 of whom live in Bangor and Brewer. This region has a labor force of 86,900; 79,600 of whom are employed and 7,300 who are unemployed, for an unemployment rate of 8.4%.

While the Bangor-Orono-Brewer triangle contains major employers with many well paid occupations in education, biotechnology, and health care, most of this region is rural and forested. Work in those areas is less plentiful. Good paying work in the paper mills of Lincoln, Old Town, and Millinocket has eroded over the past two decades. Some of the dislocated workers were able to retire, and many were called back as mills were sold to new owners and re-opened. However, each call back employed fewer workers than before, frequently at lower pay and with fewer benefits. Logging, tourism, hunting, and recreation provide jobs in the more rural areas.

In addition to the University of Maine in Orono, you will find Eastern Maine Community College and UMA Bangor, a branch of the University of Maine in Augusta, which offers both degree and certificate programs. Husson University is also located in Bangor. Husson is best known for its business and health care programs. Four Career and Technical Education schools are located in the Maine Highlands. This region is served by one full service CareerCenter and four satellite sites. There are seven local Chambers of Commerce in the Maine Highlands Region.

## **Kennebec and Moose River Valleys Region**

Kennebec and Somerset Counties comprise the Kennebec and Moose River Valleys, famous for whitewater rafting and snowmobiling. The region also boasts museums, Shakespearean theater, Maine's capital city, and an international heritage corridor.

Somerset County stretches from the Canadian border and its important border crossing at Jackman to the Kennebec River. This is a very rural county, with a population density of only 13.3 people per square mile.

Kennebec County straddles its namesake river and is home to Augusta, Maine's capital city. Like all the major cities in this region, it is located on the Kennebec River. On weekdays the number of people in the city for work swells the census to nearly 40,000. Augusta is the county seat of Kennebec County and the home location of the University of Maine in Augusta, UMA.

Twenty-one miles upriver is Waterville, home to two colleges, Colby and Thomas, and the nationally recognized Maine Independent Film Festival. Across the river sits Winslow. Sixteen miles further north up the river is Skowhegan, home of the late Senator Margaret Chase Smith. Augusta, Waterville, and Skowhegan are all traditional mill towns. The once thriving textile, paper, and lumber industries are now largely absent, along with their jobs. This area has a visible Franco-American history and population.

This region's population is 174,300, approximately 48,800 of whom live in Augusta, Waterville, Winslow, and Skowhegan. This region has a labor force of 88,800; 81,300 of whom are employed and 7,500 who are unemployed, for an unemployment rate of 8.5%, approximately a quarter percent above the state average. Education, health care, and government are the dominant employers in this region, with significant but smaller numbers employed in tourism/recreation and paper/lumber.

Along with Kaplan University and the University of Maine in Augusta and Thomas and Colby Colleges in Waterville, the Kennebec and Moose River Valleys have three Career and Technical Education schools. Full service CareerCenters are located in Augusta and Skowhegan. There are nine local Chambers of Commerce in the Kennebec and Moose River Valleys Region.

# **Mid-Coast Region**

The Mid-Coast Region includes the four coastal counties of Waldo, Knox, Lincoln, and Sagadahoc, and the city of Brunswick in the small portion of easternmost Cumberland County. This region is best known for its beaches, rocky shorelines, fishing villages, whale watching and schooner cruises. This is a very popular tourism area with a mix of lower- and middle-income families and many higher income retirees, summer and year round residents. Tourism and hospitality-related industries are major employers in this region.

This region includes the following retail and tourist destinations, which are also the major employment centers:

- Brunswick, home to Bowdoin College, is Maine's oldest college town. Brunswick
  also houses the recently decommissioned Brunswick Naval Air Station. BNAS
  has been redeveloped as a new education and technology center with the
  presence of Southern New Hampshire University, a branch of Southern Maine
  Community College, and aerospace and composite manufacturers.
- Bath has a proud boatbuilding heritage and is the home of Bath Iron Works, one
  of the nation's most important defense contractors as well as one of the state's
  largest employers. Workers commute from several more distant labor markets
  to take advantage of the wages and benefits offered by BIW.

- Boothbay Harbor, Damariscotta, Phippsburg, and Wiscasset are popular tourist destinations. Rockland has emerged from decades of decline to become a major showcase of the creative economy, including the world-class Farnsworth Art Museum. Although not nearly as prominent as it was in the past, Rockland remains one of the major lobstering ports in North America.
- Ten miles north up Route One, Camden is a classic harbor town. The beautiful harbor, professional quality golf courses, and privacy afforded by the surrounding natural areas attract higher income retirees and visitors. The Camden Snowbowl is a ski and sledding center located in the Camden Hills that offers stunning vistas of Penobscot Bay.
- The Waldo County seat of Belfast was once a very vibrant economic area, but suffered from the collapse of the broiler and shoe industries that provided much of this city's employment. After struggling for two decades, Belfast benefited from the largesse of MBNA, which established a call center here in the 1990s. The University of Maine followed suit and located its Hutchinson Center in Belfast, and the city has now become another example of how the creative economy can revive a faltering financial situation.
- Searsport, just a few miles north of Belfast, is a former whaling center that has become an antiquing destination. The deep water port facility of Sears Island is located here.

The interior areas of the Mid-Coast Region also contain jobs in agriculture. Just as many workers commute from inland to Bath, many Mid-Coast Region residents commute to jobs in Lewiston and Augusta.

This region's population is 148,800, with a labor force of 75,800; 69,200 of whom are employed and 6,600 who are unemployed, for an unemployment rate of 8.7%, slightly one-half percent above the state average. Nearly 31,000, or 21%, of this region's residents live in Brunswick, Bath, and Rockland. .

Along with Bowdoin College, and the University of Southern New Hampshire, the Mid-Coast Region is home to Rockland's innovative Many Flags One Campus learning center, which is being developed to co-locate on one campus a Regional High School, a Career and Technical Education School, an integrated Higher Education Center made up of the Maine Community College System and the University of Maine System, and Industry Centers of Excellence, beginning with the Marine Systems Training Center run by the Maine Marine Trade Association. The nationally known Maine Media College and Maine Media Workshops are located in Rockport.

There are four Career and Technical Education Centers in the Mid-Coast Region. Until further development at Many Flags One Campus, the Brunswick branch of Southern Maine Community College remains the only community college currently located in this region. There are full service CareerCenters in Brunswick and Rockland. A satellite office

is located in Belfast. There are nine local Chambers of Commerce in the Mid-Coast Region.

## **Greater Portland and Casco Bay Region**

This region, located within Cumberland County, is home to the historic seaport of Portland, Maine's largest urban area, perched on Casco Bay with its many island and coastal communities. This region is celebrated for its high quality restaurants, arts and entertainment scene, beautiful location near natural and recreational opportunities, and its proximity to Boston and the beach resorts of southern Maine. Also included in this region are the islands of Casco Bay, the larger of which have populations that commute to Portland for work by way of daily ferry boats. The Greater Portland and Casco Bay Region also encompasses Cape Elizabeth, South Portland, and Freeport, which is the headquarters of LL Bean and dozens of outlet stores and specialty shops. LL Bean is not only a major employer in this region, but also statewide. In addition to its year round workforce, it is a significant employer of seasonal workers. Like most retail employers, LL Bean was affected by the recent recession, resulting in layoffs in this region and around the state.

Portland's city population is 66,000, growing 3 percent since the census of 2000. This region's population is 281,400. The region's labor force numbers 157,400, of whom 147,500 are employed and 9,900 are unemployed, for an unemployment rate of 6.3%, which is well below the state average.

Financial/banking, tourism/hospitality, information technology, and health care and social services are dominant industries. This region contains three Career and Technical Education schools. It is home to the University of New England's Portland campus, which offers degrees in health care occupations and social work. Also present in the Greater Portland and Casco Bay Region are the Maine College of Art, the University of Southern Maine, Kaplan University-Portland Campus, St. Joseph's College, a branch of Husson University, and Southern Maine Community College. A full service CareerCenter is located in Portland. There are six local Chambers of Commerce in the Greater Portland and Casco Bay Region.

## **Lakes and Mountains Region**

With its spectacular mountain ranges, hundreds of glacial lakes and small creative communities, Maine's Lakes and Mountains draw outdoor adventurers, wildlife watchers, foliage lovers and history buffs. The vistas are stunning along the region's many scenic byways. In the winter, this region draws skiers, snowboarders and snowmobilers.

This region's population is 196,600. This region has a labor force of 103,200; 94,300 of whom are employed and 8,900 who are unemployed, for an unemployment rate of 8.67%, almost a half percent above the state average.

The Lakes and Mountains Region includes Androscoggin, Oxford, and Franklin Counties. These counties are dotted with mill towns, ski resorts, and the White Mountains, including the Maine portion of the White Mountain National Forest.

In Androscoggin County, Lewiston and Auburn, twin cities on either side of the Androscoggin River, form a lively arts community. These cities, known collectively as L-A, have a rich manufacturing and labor heritage. It was here that one of the state's largest populations of Franco-Americans found their livelihood tied to the textile mills and shoe factories. Bitter labor strikes took place in this area in the late 1800s and early 1900s. Much of this region also shares this experience, with many mill and factory towns in these counties. Bates College is located in Lewiston.

This area hosts outdoor recreation in many forms including Evans Notch, Sunday River and Mount Abrams ski resorts, the Saco River, and the White Mountains.

The Lakes and Mountains region also contains a small section of northern Cumberland County with Sebago Lake and its summer communities. Within an hour and a half drive of Boston, this area is a large and longtime tourist destination for visitors from New Hampshire, Massachusetts, and other near points south.

Rumford, in Oxford County, is a once thriving paper mill city on the Androscoggin River. Oxford County's history includes manufactured housing and quarrying. The manufactured housing industry located in the Oxford County towns of Norway and Paris once had a national presence and reputation. The past fifteen to twenty years have seen a decline in employment in this industry. The Bethel-Newry-South Paris area of Oxford County is well-known for its granite quarries, with their gem quality tourmaline, garnets, amethysts, and other gem stones. Some of the quarries in this area still supply jewelers and gem dealers, and museum collections across the country include gems and crystals quarried in Oxford County. Oxford County borders on New Hampshire and portions of the White Mountains National Forest are located here.

Franklin County's borders embrace the Rangeley Lakes National Scenic Byway along Route 17. This is recreation central: sport fishing, hiking, canoeing, snowmobiling, skiing at Saddleback Resort, and spectacular fall foliage. The Carrabassett River has carved out the Carrabassett Valley, which provides access to the trails, condos, and golf course at the internationally ranked Sugarloaf ski resort. The Appalachian Trail runs through this area. Recreation and tourism are important drivers of this county's economy, especially after the closure of the shoe factories that employed so many of Franklin County's residents.

The University of Maine at Farmington (UMF) is situated in southern Franklin County. This campus is best known for its education degree programs and its access to world class winter sports.

In addition to Bates College and UMF, the Lakes and Mountains Region is the home of the University of Southern Maine's Lewiston-Auburn campus, Kaplan University-Lewiston Campus, and the Central Maine Community College. There are four Career and Technical Education Schools in this region. A major private technical center, the New England School of Metalwork provides certificate level training in blacksmithing and welding. Full service CareerCenters are located in Wilton and Lewiston and there are two satellite offices in Rumford and South Paris. There are nine local Chambers of Commerce in the Maine Lakes and Mountains Region.

## **The Maine Beaches Region**

This region is within the boundaries of York County and borders on New Hampshire. The Portsmouth Naval Shipyard in Kittery is one of the US Navy's top submarine maintenance facilities. This county is well known for its beautiful sand beaches and the oceanside resorts located within an hour's drive of Boston.

While primarily known for its coastal summer communities, this region also contains the sister cities of Biddeford and Saco. These two cities were Franco-American mill towns, but those mills are now vacant or have been converted to housing and offices. The interior of the region, with smaller New England villages and proximity to the Sebago Lake area, attracts a large tourist trade.

The population of the Maine Beaches Region is 197,400. This region has a labor force of 110,100; 101,600 of whom are employed and 8,500 who are unemployed, for an unemployment rate of 7.7%, a half percent under the state average.

The University of New England, with its School of Osteopathic Medicine, is located in Biddeford. York County Community College is located in this region and this region also has two Career and Technical Education schools. There is a full-service CareerCenter in Springvale and a satellite office in Biddeford. There are seven local Chambers of Commerce in the Maine Beaches Region.

#### **ECONOMIC AND WORKFORCE ANALYSIS**

Maine's economy has stabilized following the worst downturn in 80 years. Modest job growth in some sectors continues to be offset by job losses in other sectors. Payroll employment has not changed appreciably the last two years, remaining well below prerecession highs. Unemployment remains high and the Consensus Economic Forecasting Commission does not expect a return to peak levels of employment until 2017, ten years after the onset of the national recession and eight years after the recovery began.

Maine faces major workforce development challenges in the years ahead from the demographic trends that are slowing labor force growth, for example, the population decline already occurring in several regions, combined with the restructuring of employment that continues to reallocate the knowledge, skill and other performance requirements of jobs.

The future direction of our economy depends on how the state manages these challenges to assist both individuals to be productive and earn good wages, and companies to effectively staff operations to meet product and service demand. If employers are unable to identify sufficient staff with the appropriate education and skills, they will locate elsewhere.

## **Demographic Trends**

Maine has the oldest population in the nation. The large baby boom generation, currently in their 50s and 60s, is aging toward retirement. The number of births per year has trended so low that we have very little natural increase (births minus deaths). In the near-term modest labor force growth is expected, but in less than a decade more people will age out of the labor force than the number of young people entering the labor force.

Compounding this situation is the fact that older workers generally have more experience, higher earnings, higher labor force participation rates, and lower unemployment rates than younger workers who are still developing the discipline and experience necessary for success. Employers will be challenged by this loss of high-value experience in their workforce. These circumstances and potential consequences make it imperative that Maine fosters an environment that will entice higher rates of inmigration to stem the demographic tide.

## Structural Shifts in Employment

Restructuring of employment is causing massive displacement in the ranks of those with limited education. Jobs in production, construction, administrative support and associated functions that have been the primary source of a middle-class lifestyle for those without a college education are declining or growing very slowly. The supply of

these workers has not declined as fast as demand for their services has, causing wage stagnation for those who continue to work in these fields, high unemployment for those displaced from them, and re-employment in lower-skill, lower-paying occupations for many who have little choice but to settle for whatever job they can find.

The economy of many communities was built on industries that once thrived but are virtually gone today. Footwear manufacturing moved to the Caribbean and other parts of the world, textile manufacturing moved closer to the source, and agriculture and forestry were heavily mechanized, requiring fewer workers per unit of output. The result has been economic stagnation or decline for many communities, especially those in counties bordering Quebec and New Brunswick. Growth has been concentrated in urban centers, especially communities where with a hospital and the associated medical services that cluster around them.

Even as the economy recovers, most production, construction, maintenance, administrative support and other related jobs that have been lost will not come back. Absent significant re-skilling for much of this population, the adverse demand situation for those workers is unlikely to improve. Without well-directed job training resources, the situation for those without post-secondary education is likely to worsen in the years ahead.

In addition to the challenges for those whose skills have become less in demand, returning veterans face higher than average unemployment rates, and immigrants from Somalia, Ethiopia, and other war-torn nations face cultural, language, educational, and work skills barriers. Special attention is warranted for those who served and risked their lives to protect our freedom and for those who escaped persecution to come here to live in freedom.

While many individuals find their years of accumulated experience are no longer in demand, many employers are challenged to find the workers with the education, experience, or skills needed to perform functions critical to their operations. Demand for workers in health care, information technology, social, professional and other services is rising. The staffing needs of those industries are primarily for professional and technical functions—which generally require post-secondary education or training and offer higher-than-average earnings—and for service, sales, and administrative support functions—which generally do not require post-secondary education or training and offer lower than average earnings. The result is job growth concentrated at both the upper and lower ends of the education and earnings spectrum. We have many individuals who need a job, are under-employed, or need a better job, as well as many businesses that need qualified staff, yet mismatches between the two groups create a major missed opportunity for prosperity.

## **Regional Trends**

Restructuring of employment is exacerbating the economic divide between rural and urbanized regions of the state. Manufacturing was once the economic backbone of many rural communities. As footwear production moved to the Caribbean and other regions, textile manufacturing moved closer to the cotton source, and agricultural and timber harvesting became mechanized, many communities, especially in the counties bordering Quebec and New Brunswick, went into decades-long periods of decline. Growing healthcare, financial, and professional service businesses are concentrated in larger communities, mostly in the southern part of the state, and the growing leisure sector is mostly concentrated along the coast.

Displaced production workers from rural regions face the dual challenge of qualifying for good jobs in growing sectors and lengthy commutes to work in service-center communities where those jobs are located.

#### **Education**

A look at employment rates (the share of the population that is employed) of the working-age population is illustrative of the very different outcomes those with limited education face compared to those with higher attainment. Among the population age 25 to 64 in Maine, only 43 percent of those who do not have a high school diploma and 70 percent with only a high school diploma are employed. The situation they face contrasts significantly with those having higher educational attainment. Nearly 77 percent with some post-secondary education or an associate's degree are employed, with rising employment rates for higher levels of attainment: 84 percent with a bachelor's; 84 percent with a master's; and 90 percent with a professional or doctoral degree.

#### **Current Demand and Outlook**

Job postings provide an indication of current occupational demand. About half of the postings are for occupations that require post-secondary education or training, and a high share of those positions require a specific degree or credential. Healthcare technician and practitioner positions, for example, typically account for one-quarter of all postings. To qualify for those positions one must have a specific degree and clinical training; a degree in English or anthropology will not suffice. There are few postings for jobs in construction, production, administrative support or other declining occupations.

The long-term occupational job outlook is largely for a continuation of trends that have been on-going for some time. Projections to 2020 indicate that 68 of the 100 fastest growing jobs will be in occupations that require some form of post-secondary credential; 22 of the 40 fastest growing occupations will be healthcare-related; and business, financial operations, computer, mathematical, science and legal occupations

will grow faster than average. On the other end of the spectrum, of the 40 occupations expected to lose the most jobs, 21 are in production occupations and eight are clerical.

In addition to the trend toward jobs at the upper and lower ends of the education and earnings spectrums, the flattening of organizations in all sectors puts a premium on self-organization, self-management, and personal initiative by workers at all organizational levels. Specialization of functions is becoming a thing of the past as workers increasingly are given more diverse sets of responsibilities not only requiring higher knowledge and skills but also raising occupational qualifications. Jobs that once required little more than a strong back or manual dexterity now require higher levels of reading comprehension and skills in communication, critical thinking, and decision making.

This has been especially true in manufacturing, a sector in which employment has been cut in half over the last 25 years. With so many displaced manufacturing workers, one might expect an abundant supply of qualified workers, but too often employers are not able to find qualified applicants. In fact, manufacturers that have survived and thrived are those that introduced capital-intensive production systems. Performance requirements of these production jobs go well beyond what was required on the assembly line jobs of yesterday. Most production occupations do not require degrees, but they increasingly do require strong math, reading, writing and problem-solving skills and sometimes specialized training of as much as two years.

## **Skill Gaps**

State workforce agencies that are able to specify exact areas of knowledge and skill gaps are those with on-going job vacancy surveys that allow them to identify occupations with persistently high rates of openings. The Maine Department of Labor is seeking funding to survey employers so we can identify occupations in which employers are persistently challenged to find staff. In conjunction with occupational projections, vacancy information will provide another important tool to target limited training and educational resources to better serve both employers and job seekers.

Lacking current job vacancy data, we can generalize that the primary performance attributes of jobs in growing occupations are concentrated around critical thinking and problem identification, mathematics, reading comprehension, active listening, oral communication, instruction, coordination and monitoring, and decision making. Those contrast with the primary work activities or knowledge requirements of occupations that are expected to experience the highest rates of job loss, which include handling and moving objects, controlling machines, repairing and maintaining equipment, clerical functions, and construction functions.

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#### SECTION TWO: OPERATIONAL PLAN

#### OVERVIEW OF THE WORKFORCE SYSTEM

# Organization:

The Bureau of Employment Services is the State Workforce Agency (SWA) within the Maine Department of Labor established to provide oversight and administration for state and federal workforce programs and to provide financial, administrative and policy support to Maine's CareerCenters (Attachment 15). The BES was established in 1996 consolidating the Bureau of Employment and Training Programs and the Bureau of Employment Security's Job Service Division into a single entity to support the One Stop service delivery system, known in Maine as the CareerCenters. Currently, the Bureau of Employment Services is comprised of the BES Administrative Office, and 12 local full service CareerCenter locations and 14 itinerant sites. As discussed earlier, the State Workforce Investment Board is seeking to re-designate Maine's four Local Workforce Investment Areas into eight Chambers of Commerce regions which will become aligned with the current CareerCenter system.

This alignment is already a familiar one for the Chambers, who have worked together regionally for years in the same regional configuration as Maine's tourism regions. In addition, the Maine Department of Economic and Community Development has reassigned its "Governor's Account Executives" to be consistent with the Chamber/Tourism regions (see Attachments 2 and 5).

Since July 1996, the Bureau has been funded through State and Federal Job Training Funds and Federal Employment Security (Wagner-Peyser) Funds. On July 1, 2000, the State of Maine began operating programs in accordance with the federal Workforce Investment Act of 1998 (WIA).

Under WIA, two of these five titles have significance for programs operated by BES and create the overall structure of the workforce investment system, including the State Workforce Investment Board, regional Chambers of Commerce, one-stop CareerCenters, and Youth Councils. Title I created the overall structure for the workforce investment system, including state and local workforce boards, One Stop career centers, and Youth Councils. Title I includes the provision of services for Adults, Dislocated Workers and Youth. Title III amended the Wagner-Peyser (Employment Services) Act to align its provisions with the new system.

The BES will continue to use the same allocation formula that USDOL uses to allocate funds to the state. We allocate funds using the formula to 16 counties and will write contracts directly with the current service providers to distribute the funds and ensure that services continue.

## State Workforce Investment Board

As required under WIA, the Governor has established a State Workforce Investment Board to assist in the development of a state plan. Initially established in 1997, by the Maine Legislature, the Maine Jobs Council (MJC) integrated a number of statewide councils into one coherent workforce development policy board. The MJC was formally charged by the Governor to oversee and guide statewide workforce investment activities. The organizations represented on the MJC are organized labor, business, adult education, Chambers of Commerce, University of Maine System, Maine Community College System, Maine Department of Education, Maine Department of Economic and Community Development, local economic development agencies, community-based organizations, and the MDOL.

As outlined above, newly elected Governor Paul LePage established a new vision for Maine's workforce system and a revitalized State Workforce Investment Board. In 2011, he communicated his goal to maximize the return on investment for federal and state training funds. To accomplish this goal the Governor has focused on establishing a revitalized State Workforce Investment Board that would be private sector focused and employer- and data-driven.

To effect the revitalization of the State Workforce Investment Board, the Governor submitted Legislative Document (LD) 1874, which was subsequently passed for enactment by the Maine State Legislature on April 4, 2012. The Governor signed LD 1874 on April 14, 2012, renaming the Maine Jobs Council the State Workforce Investment Board.

The configuration of the board is designed to enable Maine to meet the demands of its economic future by encouraging the creation of a knowledgeable, skilled, and flexible workforce that is responsive to the needs of the new economy. The Maine State Workforce Investment Board carries out its functions and provides direction-setting leadership for the system in accordance with WIA §111(d). Through the WIA Strategic Planning Process, the SWIB develops the State's vision and goals in collaboration with its partners.

#### Local Areas

Under WIA, the Governor, in consultation with the SWIB and chief local elected officials (County Commissioners), is responsible for designating local workforce investment areas within the state and a local workforce investment board for each local area. Local Workforce Investment Boards are citizen boards, appointed by the Chief Local Elected Official(s) of the designated local areas. Local workforce investment boards, in partnership with local elected officials, are responsible for planning and overseeing the local program. The board is responsible for developing the local plan to be submitted to the Governor for approval, designating local "One-Stop" operators, designating eligible

providers of training services, negotiating local performance measures, and assisting in developing an employment statistics program. In February 201, in consultation with the State Workforce Investment Board and Chief Elected Officials, the Governor designated eight local workforce investment areas in the state that align with the Chamber of Commerce Regions. The eight Chamber of Commerce Regions are:

1)	Aroostook Region (Aroostook County)
2)	Downeast and Acadia Region (Washington and Hancock
	Counties)
3)	The Maine Highlands Region (Penobscot and Piscataquis
	Counties)
4)	Kennebec and Moose River Valleys Region (Kennebec and
	Somerset Counties)
5)	Mid-Coast Region (Waldo, Knox, Lincoln and Sagadahoc
	Counties and the city of Brunswick within Cumberland
	County)
6)	Greater Portland and Casco Bay Region (Cumberland County)
7)	Lakes and Mountains Region (Androscoggin, Oxford and
	Franklin Counties)
8)	The Maine Beaches Region (York County)

By moving to this greater regional representation, local representation will be increased and more responsive to geographic and urban/rural differences, while providing the necessary oversight and policy implementation in a more consistent, statewide fashion.

The newly designated Chamber of Commerce Regions replace the former four Local Area configuration that was adopted with the initial WIA Strategic Plan in 2000 as identified below:

Local Area I: Aroostook/Washington Counties Workforce Investment Board Local Area II: Tri-County Workforce Investment Board (Piscataquis, Penobscot,

Hancock Counties)

Local Area III: Central/Western Workforce Investment Board (Somerset,

Kennebec, Androscoggin, Oxford and Franklin Counties)

Local Area IV: Coastal Counties Workforce, Inc. (Knox, Waldo, Lincoln,

Sagadahoc, Cumberland and York Counties)

## Operating Systems and Policies Supporting the State's Strategies

The purpose of the publicly-funded workforce system is to increase employment, job retention, earnings, and worker skill attainment. The Bureau of Employment Services oversees and administers programs and services aimed at building the workforce of the state and connecting workers with employers. The purpose of the BES is to enhance economic success through workforce development. This includes working with businesses to build a competitive and skilled workforce while increasing access to quality employment opportunities for workers. This is accomplished through self-directed and consultative worker services that include job placement, career guidance, education and training, and layoff assistance. The BES also provides services to businesses, including workforce consultation, recruitment, direct referral to resources, and access to training programs. Occupational information and training is provided to educators, training program managers, and policy makers. All of these services are available through the statewide network of CareerCenters.

Maine CareerCenters combine numerous services under one roof, which makes it easier for job seekers and employers to obtain what they need. Services offered through the CareerCenter include:

- Job Placement
- Job Training
- Support Services to maximize successful completion of job training
- Certification that Foreign Labor will not adversely affect the wages and working conditions of US workers similarly employed
- Assists businesses with recruiting and hiring qualified workers and provide tax credit information
- Career planning information
- Apprenticeship programs and standards formulation
- Economic development assistance
- Peer support services to displaced workers
- Vocational rehabilitation services

There are currently 12 CareerCenters and 14 itinerant sites located throughout the state. Faced with declining state and federal resources used to support "bricks and mortar," the BES is currently working with Empyra.com to configure a web-based case management and service delivery system. The OneFlow system is expected to "go live" in June 2013. With the design and configuration of OneFlow, the BES is redesigning a new service model for both job seekers and employers that will enable better, more efficient service delivery. The service will enable job seekers to register for work, build a resume and conduct customized job searches and complete online assessments and workshops. Employers will be able to post job openings, search resumes for qualified employees, and receive emails on new job seeker resumes. Further discussion of the OneFlow system will be provided in the sections that follow within this plan.

## State Operating Systems (112(b)(8)(A):

July 2008, Maine's CareerCenter system had just begun the process of transforming from 21 physical locations to 11 full service centers, five WIA-only offices and several service points. To ensure that Mainers had options for accessing services "virtually," MDOL's Bureau of Employment Services and the Office of Information Technology began work on the design and deployment of Maine's web-based CareerCenter services portal.

The system — Maine's Job Bank — was launched in November 2008 to provide instant 24/7 access to job matching services without the need for staff assistance. The intent in building Maine's Job Bank was to begin providing easy web access to an effective job matching service. Having an Internet-based system has enabled many more job seekers and employers to connect in a manner that is much more convenient (i.e., does not involve travel to a CareerCenter location during specified hours or require direct staff interaction). Since launching the Job Bank, the CareerCenter system has been able to continue to operate on a "universal access" principle, which promotes a level of service for everyone. Maine's Job Bank has provided more self-service options for job seekers and employers. Since Maine's Job Bank was launched, we've recorded 100,000 - 130,000 Wagner-Peyser registrations annually. Over 1,500 new employer accounts have been created in the online system.

The service is designed to include a direct interface between the Unemployment Insurance Internet claims process and the Maine Job Bank, with the objective of reducing the length of time that workers will remain unemployed. Maine's Job Bank also provides a means of access to other programs and services by collecting user characteristic and demographic information that will be used to reach out to certain target populations (i.e., unemployment insurance recipients, women, veterans, and people with disabilities).

In 2010, the BES embarked on a process to replace the aging and increasingly obsolete One Stop Operating System – the workforce systems data and case management tool – with a new web-based system that would enable better services and more efficient data collection and reporting. In October 2011, following an extensive Request for Proposal process, a vendor was selected to provide a commercial off-the-shelf solution to the Maine Department of Labor that could be customized to meet the current and future needs of the public workforce system. The OneFlow platform is web based and provides Maine's workforce system with a solution designed to go beyond just replacing OSOS. Some of the key features of OneFlow include:

- The system will provide a secure and intelligent technology software solution that can efficiently capture, track, and report data on a variety of workforce client and employer information.
- The fully integrated system will manage job seeker and employer programs and services such as: Wagner-Peyser, Workforce Investment Act, Trade

- Adjustment Assistance, Veterans Services, Competitive Skills Scholarship Program, Apprenticeship, and other state and federal program reporting requirements.
- Job seekers, employers and service providers will drive the key elements of OneFlow through a robust and enhanced online experience driven by the user, not the program.
- OneFlow will enable job seekers to participate in online workshops and assessments from their desktops whether they are in the CareerCenter or some other remote location.
- The system will provide better access to labor market information services and greatly improve the manner with which the public workforce system communicates with job seekers, employers and community based service providers.
- The OneFlow platform will provide the system with the ability to collect and maintain data to meet State and Federal reporting requirements, client tracking, fiscal responsibilities and programmatic monitoring.

## State Policies to Support the WIA Strategies: [WIA Sections (112(b)(8)(A)]

As previously discussed, the Governor has established his priorities to maximize the return on investment for federal and state training funds and has articulated a strategic focus for a revitalized State Workforce Investment Board, restructured workforce system and the promotion of industry partnerships as the cornerstone for Maine's workforce development. Policies that promote and contribute to the overall workforce and economic strategy laid out by the Governor will be realized in a number of significant ways. The State Workforce Investment Board has been charged with establishing new and renewed policies that support the coordinated implementation of the State's strategies as follows:

- The newly constituted SWIB is in place and charged with aligning workforce and education policy across state government at the highest level to craft new strategies and find creative solutions that cut across traditional boundaries.
- The SWIB policies will guide the CareerCenters partners toward allocating significantly more training resources for job seekers. In addition to establishing a higher percentage of WIA training dollars spent on participants, the CareerCenters are being asked to develop and document training plans funded from a variety of sources including WIA, Trade Adjustment Funds, National Emergency Grants, PELL, and other demonstration/project grant funds when available and appropriate.
- Maine has placed a high priority on youth to ensure they have the best opportunities available to live and thrive here. In addition to adopting a Common Measures approach to serving young people (ages 14-21; Maine has been focused on a response to the needs of young adults. The Young

- Adult Networking group has been established to examine options for young adults (18-25 year olds) in the workforce who are the most likely to be unemployed and underemployed.
- The SWIB has been working with the Department of Education to implement Career Pathways initiatives in adult education that combine literacy and numeracy skill-based instruction with career-focused workforce training and a range of critical support services to help adults overcome barriers to transitioning to post-secondary enrollment and attainment.
- The SWIB has established a working partnership with the Maine
   Manufacturer's Association (MAMe) to lay out an approach to workforce
   development that centers on high priority occupational gaps within
   targeted industry clusters and to provide training and job placement
   services that emphasize livable wage, high wage and high skill employment
   through programs such as the Competitive Skills Scholarship Program,
   Maine Quality Centers and the Maine Manufacturing Extension Program.
- Through ongoing planning and service delivery, MDOL has strengthened the intra-departmental efforts to coordinate Unemployment Insurance, Bureau of Rehabilitation Services, and the Center for Workforce Research and Information as key partners and programs within the CareerCenters.
- MDOL has developed a strong linkage with a variety of statewide economic development organizations, statewide network of training providers, and federal partners to promote entrepreneurship and self-employment options.

With many of these efforts part of the ongoing commitment to produce system alignment, we are now entering into a new period marked by a fresh set of challenges and opportunities; and we will continue to move forward to promote the vision set by forth by Governor LePage and the workforce development system goals recommended by SWIB. The SWIB is committed to working with the local Chamber of Commerce regions and the current service providers to promote a stronger workforce support system and to further streamline and improve the delivery of services through the CareerCenters over the next few years.

## Service Delivery and Program Alignment: [WIA Sections (111(d)(2), 112(b)(8)]

The mission of the CareerCenters is to operate a customer-focused service that empowers all citizens to obtain the information and training they need whether they are employed or unemployed; this challenges the system to be able to effectively balance the goal of universal access against the reality of competing demands and limited resources. Multiple programs are expected to have a broader and singular (shared) customer interface with clear pathways between and among them. Maine has very limited WIA resources to invest in training; we have an unlimited opportunity to foster collaborations and access other training funds to benefit all workforce participants.

The level of coordination between WIA, Wagner-Peyser, TAA, and many community—based partners is unprecedented. Relative to most states, Maine is small enough in size and has, for the most part, been successful at confronting the challenges of building a truly integrated system. The primary organizations involved in CareerCenter development have developed productive professional relationships for initiating incremental change.

The degree of coordination among partners housed within CareerCenter facilities is extensive. This Plan sets the context for expanding this collaboration to other required and non-required partners. As already stated, many partners have been engaged by the MDOL and the SWIB and as such, have accomplished much of what has been the focus of the WIA Five-Year Plan. Most of the services described in the Plan are provided jointly by WIA and Wagner-Peyser staff within the CareerCenter with a purpose:

- To provide integrated intake;
- To provide core services;
- To provide customers access to all partner programs and activities;
- To make intensive services accessible to adults and dislocated workers; and,
- To provide ITAs to adults and dislocated workers.

Maine's new OneFlow web based services portal which is expected to be launched in June 2013, is designed to provide job seeker and employer customers with a self-directed job registration process that is linked to all CareerCenter staff to serve common customers.

In addition, MDOL will continue to require WIA service providers to adopt service delivery strategies that assure seamless integration of programs and coordination of program specific services for both job seekers and employers. The BES will ensure that WIA contracted services include an appropriate mix of core, intensive and training services. The Local Memorandum of Understanding (MOU) will serve as the vehicle for defining specific programmatic and financial responsibilities coordinated amongst all the partners who operate from the CareerCenter. The purpose of the MOU is to assure that resources are allocated appropriately and that the roles and responsibilities of each program and provider are integrated and coordinated to the fullest extent. The partner programs included in the local MOUs include federally funded programs such as WIA, Wagner-Peyser (including Veteran's Services), Bureau of Rehabilitation, Reemployment Eligibility and Assessment Program, Trade Adjustment Assistance, Registered Apprenticeship and state-funded programs including the Competitive Skills Scholarship Program.

## American Job Center Network Co-Branding

Maine intends to co-brand its One Stop CareerCenters as "proud partners of the American Job Center."

Coordination of the co-branding will begin when the State Workforce Investment Board issues a policy by January 1, 2013, to all workforce investment system partners (Local Workforce Investment Boards and Service Providers) regarding the CareerCenter/AJC co-branding, and will stipulate that all contracts utilizing WIA funds include compliance with the co-branding requirement.

The policy will include building signage, promotional materials, paper stock and websites. We are cognizant of the upfront costs associated with adding new language and images to existing materials and physical structures.

The Maine Department of Labor's Bureau of Employment Services is currently in the process of estimating the cost of the co-branding, with the major expense expected to be in regards to building signage. The Maine DOL Facility Management has estimated that the cost of replacing or repainting/rescreening building signage will cost a minimum of \$100,000, exceeding funds currently or foreseeably available. To keep costs manageable and to a minimum, modification to existing signs will be the preferred option, before replacement. Partners will be required to add the AJC co-brand to signage as signs are replaced or new signs are made.

All paper stock (letterhead, brochures, business cards, etc.) will be replaced with the new co-branded logo and tag line once current supplies are exhausted.

The cost of website modification is expected to be minimal, and replacing paper stock as needed is considered part of the cost of doing business. The State of Maine is currently in the process of redesigning/rebranding its website and as the state moves through this process, the AJC co-branding will be integrated.

## **Coordinated Efforts with Other Agencies**

As mentioned previously, the establishment of Maine' CareerCenters system has improved coordination amongst many agencies. In close consultation with the other bureaus within MDOL (Bureau of Unemployment Insurance, Bureau of Rehabilitation Services, Center for Workforce Research and Information and the Bureau of Labor Standards), the SWIB and Local Workforce Investment Areas, the BES insures that there is a high level of coordination of workforce development programs and services offered by the CareerCenters.

WIA specifically identifies the one-stop CareerCenters as the system to unify numerous employment and training programs into a single, customer-friendly set of services. The chart below summarizes the relationship the Required Partners have to the services provided through the CareerCenters:

Required Partners	Partners Collocated at Maine Career Centers	Partners Delivering Core Services	Comments
Adults, Dislocated Workers and Youth (WIA Title I-B)	Х	Х	
Job Corps (WIA Title I-C)			Available through referral from CareerCenters
Dislocated worker programs funded by National Emergency Grants (WIA Title I-D)	Х	Х	
Migrant Seasonal Farm workers Program (WIA Title I-D)	Х	Х	
Native Americans (WIA Title I-D)			Available through referral
Youth Opportunity Grants (WIA Title I-D)			Available in some local areas
Adult Education and Literacy Programs (WIA Title II)		Х	Available through referral
Employment Services (Wagner-Peyser Act WIA Title III)	Х	Х	
Vocational Rehabilitation (WIA Title IV)	Х	Х	
Unemployment Insurance			UI is delivered through call centers
Welfare-to-Work grants	Х	Х	
Senior Community Service Employment Programs		Х	Available through referral
Employment and training activities of Postsecondary Vocational Education (Perkins)		Х	No program obligation to CareerCenters
NAFTA and Trade Adjustment Assistance Programs	Х	Х	
Veterans Programs (Disabled Veterans Outreach Programs/Local Employment Veteran Representatives/Competitive Veterans Programs (Chapter 41 of title 38, United States Code)	х	Х	
Employment and training activities of Community Services Block Grants			No program obligation to CareerCenters
HUD Employment and Training activities			MDOL has established linkages with the Maine State Housing Authority to develop workforce development projects in coordination with the local housing authorities and the CareerCenters

## Rapid Response Activities: [WIA Sections (112(b)(17)(A)(ii),133(a)(2), 134(a)(2)(A)]

Rapid Response is a shared responsibility between the MDOL, the Dislocated Worker Service Providers in the CareerCenters, and other State and Local Agencies.

MDOL is responsible for developing components of statewide and local Rapid Response activities. They include: providing resources to deliver Rapid Response activities at the local level, developing budgets, structuring the Rapid Response process, coordinating the development of National Emergency Grant Applications, negotiating alliance-based contracts that support Rapid Response capacity, and providing policy direction for rapid response delivery and its integration with TAA and WIA dislocated worker programs.

Regional Rapid Response Services are coordinated by the Rapid Response Coordinator through the BES Central Office. At the local level two full-time Regional Rapid Response Representatives and a portion of at least six local CareerCenter staff provide services to employers and affected workers for lay off and mass closing events that occur throughout the state.

MDOL has developed important alliances since the inception of rapid response services. A partnership with Maine AFL-CIO, promotes Rapid Response services to affected union officials and their workers, helps conduct workshops and manages the statewide Peer Support Worker program jointly with MDOL/BES.

In addition to provision of policy direction and functional oversight, MDOL also provides staff development and training through a statewide Rapid Response Coordinator. Local Rapid Response staff make initial and follow up contacts with employers, provide referral services to economic development agencies, document visits and communicate them to all appropriate local and State agencies, conduct reemployment orientations and workshops, and facilitate transition into training and job development activities offered by the local CareerCenter.

Regional Rapid Response representatives are responsible for coordinating all aspects of Rapid Response sessions and ensuing transitional services for the affected workers in their areas. However, the full team of representatives may be called upon to act as a statewide team and respond in partnership with any other local area or region that requires expanded assistance with Rapid Response and initial worker adjustment services.

Maine has built an extremely effective communication system for identifying and responding to potential and actual dislocations. A number of avenues exist for identifying companies that may be impacted by downsizing:

 A confidential list identifies companies from which UI has documented 20 or more initial claims.

- Formal notices required by the WARN act or the Maine Severance Law that are submitted by the affected company to the Dislocated Worker Unit and the Bureau of Labor Standards.
- Websites that monitor and package information about mergers, downsizing, development or investment in offshore facilities that affect the corporate parent companies of Maine subsidiaries are scanned on a regular basis, along with state and local press releases that provide similar information.
- Credible rumors and disclosures are routinely followed up on.
- Early information sharing from economic development and other business assistance entities at the state, regional and local levels is also encouraged; they are usually the first to know when companies are facing issues that may result in job loss.

Credible rumors and WARN notices or any information generated from the above sources, trigger an immediate contact with the affected company by the local Rapid Response representative who gathers information about the nature and size of the layoff.

A formal Plant Brief guides the initial interview with the company and collects information that prompts specific response steps, as follows:

- a) General company information, including type of sector is used to track industry patterns.
- b) Reason for downsizing prompts a referral to CareerCenter business assistance services who already partner with local, regional, and state economic development entities, if trade adjustment assistance for firms is warranted a direct referral to NETAAC may be triggered along with other services that may avert additional layoffs.
- c) Affirmative responses to Trade Petition questions result in facilitation of a petition for trade certification.
- d) Information regarding severance packages (i.e., number of weeks of vacation pay, average cost of health insurance and types of health packages to be offered by the company) provides guidance to prepare UI representatives for specific employee questions that may be fielded.
- e) Demographic information about the workers who will be attending the session is gathered to customize each session to the particular worker audience (i.e., age and education levels, length of time with company, language or other barriers and whether any affected are on active duty).
- f) Worker task statements are gathered and used to scan for skill demand (or lack thereof) in the local labor market and to determine the anticipated retraining or skill development that may be necessary for reemployment purposes.

g) Company is asked to facilitate a worker needs survey that is scanned for coordination of transitional resources and need for allocation of financial resources.

State rapid response staff determines the mix of appropriate responses. Businesses are informed of layoff aversion possibilities such as employee buyouts, skill retooling where appropriate for layoff aversion purposes, and linking needs of the employer with state and local economic development programs and services. Private-sector local board members and elected officials could be asked to facilitate resolution of problems when there may be an opportunity to intervene to avert a lay off or shutdown. Information from the first contact is also provided directly to the Governor's office for similar reasons. Finally, the information is used to develop a customized package of services from Rapid Response orientations and workshops to training and then to job development.

Maine has incorporated a "Jump Start" approach to rapid response allowing workers to pursue immediate readjustment/reemployment pathways. At the close of each initial Rapid Response session, participants are encouraged to sign up for next steps.

For those who feel confident to immediately seek new employment, a series of workshops designed to support this goal is offered. This series explains the labor market and how individual knowledge, skills, and abilities transfer to jobs in demand. It also Informs the workers about where and how to look for job openings, how to complete applications, develop resumes, and how to excel at interviewing.

Outplacement is conducted almost immediately via referral to the jobs that have been identified through the initial labor market scan conducted usually by the Center for Workforce Research and Information and via customized job fairs – now also a part of the Rapid Response Jump Start for larger companies. Maine CareerCenters promote the customized job fairs as a service to the affected company. Often affected companies are inundated with calls from other companies wishing to hire their exiting workers. The affected company is usually too overwhelmed to coordinate such services. The CareerCenters have been instrumental in taking on this additional worry by coordinating job fairs that link the interested employers with the specific laid off workers. In several instances these have been offered right at the worksite of the affected company. These job fairs have proved very successful, with over 25% of employees gaining immediate reemployment and company allowing affected workers to attend the job fairs and workshops while on company time.

The second transition pathway is targeted to those who may have more difficulty dealing with job loss and/or has broader barriers to immediate reemployment. This pathway links workers to a series of workshops covering such topics as coping with job loss, career decision making, and understanding labor market trends, gaining

perspective through individual assessments leading to opportunities and resources for skills upgrade and retraining that will prepare them for demand occupations.

The "Jump Start" model uses the individual needs surveys to customize and schedule the above series prior to the initial session by requesting that the company encourage completion of the surveys in advance. Many companies have provided long term advance notice, in cases like these the Rapid Response team is able to work with company and affected workers on an ongoing basis to provide info sessions, workshops and/or TAA briefings at appropriate times and generally on company site and on company time.

The model also allows for exceptional information gathering for NEG request purposes and/or linkage with economic development activities that may benefit large numbers of affected workers. MDOL has also developed a formal NEG application process.

Affected workers from smaller layoffs, are offered similar service pathways, but may be referred to existing workshop series offered on an ongoing basis by their local CareerCenters. If the layoff occurs without our notification, each worker is contacted individually and invited to a formal Rapid Response info session or to an orientation to services offered on a regular basis by their regional CareerCenter. It is the goal of Maine's Rapid Response program to contact every laid-off worker regardless of size of company closure or downsizing; each will be invited to access the full array of available services.

In addition to reemployment related services, it has been the custom of Maine's Rapid Response team to link with the local community to launch or participate in community action teams on behalf of the affected workers. The activities of these teams include the following:

- Production of resource booklets that feature local community programs and services, printed and provided to each of the affected workers
- Coordination of resource fairs that provide an opportunity for affected workers to access a range of services from heating and housing assistance to small business development assistance all in a One Stop location.
- Coordination of fund raising events from dinners and barbecues to dances and auctions whereby the proceeds can go toward an emergency services fund for affected workers
- Coordination of a variety of non-employment related workshops such as consumer debt workshops offered by the regional credit union to health clinics and stress management workshops offered by local health service providers.

Maine's congressional staffers have been outstanding partners in this effort and recent collaboration between MDOL and congressional staffers had culminated in a formal plan for implementation of Community Action Teams across the state.

## Common Data Collection and Reporting Processes: [WIA Section 112(b)(8)]

As stated above, the BES is currently working with Empyra.com, Inc. to replace the aging and increasingly obsolete One Stop Operating System (OSOS) – the workforce systems data and case management tool – with a new web-based system that would enable better services and more efficient data collection and reporting. In 2011, the BES conducted a thorough Request for Proposal (RFP) process to identify a data management system that would provide the CareerCenters with a robust and intelligent technology software solution that can efficiently capture, track, and report data on a variety of workforce client and employer information. Specifically, the solution is for common data collection and reporting for job seeker and employer programs and services such as: Wagner-Peyser, Workforce Investment Act, Trade Adjustment Assistance, Labor Exchange, Veterans Service, Competitive Skills Scholarship Program, Apprenticeship, and Ticket to Work. Additionally, the BES routinely operates several federal demonstration grants, such as the Disability Employment Initiative, Health Care Industry and Green Jobs grants.

With Empyra.com, Inc. as the selected bidder, the BES has begun work on a custom design of the commercial off-the-shelf solution called OneFlow Platform, which is currently underway with a projected "go-live" date of August, 2013. OneFlow will track and maintain client records from the point of initial intake until program exit. The application provides:

- Recording of client demographic information
- Tracking of client case history (multiple cases)
- Eligibility determination
- Management of individual cases and caseloads
- Individual service strategy
- Services and Activities
- Referrals
- Case notes
- Distribution of regional, office, and caseload budgets
- Creation and payment of funding authorizations
- Exit/Outcome information
- Local, state, and federal program activity and performance reports
- Access from a web browser since it is a web based application

OneFlow creates a shared, collaborative network of stakeholders in the workforce development system. OneFlow provides a seamless, dynamic (personalized and

updated) plan for each user based on their role, needs and stage through the process. Job seekers can easily get connected to the right resources for them based on their personalized situation. Each local area and their partners can view a complete picture of each participant to ensure that a coordinated strategy of delivering services is in place. OneFlow eliminates silos that create redundancy, reduce operating efficiency, and provide incomplete reporting pictures leading to poor outcomes.

Until OneFlow is ready for deployment, MDOL will continue to use OSOS to facilitate the flow of information among CareerCenter partners (WIA, Wagner-Peyser, TAA, NEG and Bureau of Rehabilitation Services). OSOS will continue to be the basis for data collection and reporting for the Federal WIA Title 1-B Standardized Record Data (WIASRD) elements and the quarterly ETA 9090 and ETA 9002 reports as well as the ETA 9091 Annual Report.

# <u>State Performance Accountability System: [(WIA Sections 111(d)(2), (d)(6)-(8), 112(b)(3), 136; W-P Section 15; 20 CFR 666.150)]</u>

All CareerCenter programs are evaluated and monitored according to an established schedule to ensure that program outcomes and service delivery options are aligned with State and Federal goals. The quarterly review process includes program evaluation and monitoring of WIA Title I, Wagner-Peyser and Trade Assistance Act (TAA) for compliance and quality. Maine statutes governing the Maine Apprenticeship and the Competitive Skills Scholarship Programs also have quarterly reporting and review requirements.

In addition to program level management reporting, MDOL conducts desktop and onsite monitoring within a local area at least once per quarter. Program monitoring has two main purposes: 1) to ensure that the CareerCenter system is in compliance with the intent and substance of the rules governing funding streams, and; 2) to provide an understanding of the systems operating to achieve the overall workforce investment goals.

The first purpose satisfies the mandate of MDOL oversight agency to ensure that statutes, regulation, and policies are being followed. While comparatively narrower in scope than the second purpose, monitoring for compliance supports the SWIB goal of accountability and meets legislated oversight requirements.

The second purpose allows the performance evaluation effort to take a strategic perspective. Formalized monitoring becomes a way to develop an understanding of the systems the CareerCenters draw upon to deliver information and services to customers. Presumably, the systems in place are a result of efforts to achieve State and local area goals. The systems are composed of the working relationships with public and private entities and may take forms such as partnerships, agreements, collaborations, coalitions, and protocols. Working relationships may be internal or external to the CareerCenter facility. They may have been established by the SWIB or

local governance entity for the entire area or established independently by a CareerCenter.

The monitoring tools are designed to explore the working relationships that make a difference to the customer in terms of the breadth and depth of services. As monitoring experience is gained, the relationships among partners can be compared to the outcomes that customers typically receive. The object of this type of monitoring is to find out how the partners are working together for seamless integration of services, not to make a determination of whether the level of integration is above or below an arbitrary level.

Monitoring for quality may reveal strengths that can be used to illustrate "best practices." Best practices models derived from empirical evidence, rather than from national literature, can be shared among local areas and service providers and can thus have more relevance.

This type of monitoring results in an analysis of system development that can be useful to management at all levels.

When exemplary system practices are discovered, the intention is to celebrate and promote them beyond simply including them in the monitoring process. In this way, monitoring will yield a value to advisory boards and program operators not otherwise gained, or obtained through traditional compliance monitoring.

With respect to regular program performance evaluations, WIA §184(a)(5) and 20 CFR Sec. 667.410 describes the oversight roles and responsibilities of recipients and sub recipients. It also requires the Governor to take prompt corrective action if any substantial violation is found and impose sanctions in the event of a sub recipient's failure to take required corrective action. MDOL has implemented a sanctions policy.

Local Area service providers report WIA program performance to MDOL on a quarterly basis. There are two types of reports: financial reports and participant or customer reports. The requirements for the financial reports are specified by the Bureau of Employment Services Administrative Manual and are submitted to the MDOL. The participant or customer report follows a format provided by MDOL. This report compares the planned service levels (enrollments, exits, entered employment, etc.) to actual service levels and compares actual performance to the standards. All planned data is taken from the contract and entered into the form. Actual data is available currently through the One-Stop Operating System (OSOS) and will later be drawn from OneFlow following deployment of the new system.

Reports are submitted for each program contracted with the local board. These include the Adult, Youth, and Dislocated Worker Programs, any National Emergency Grants for Dislocated Workers, and any other contracted programs that have participant activity.

The submission must include a cover letter that includes a narrative for performance, which is more than 15% higher or lower from the standard or planned level. The purpose of the narrative is to: 1) demonstrate an understanding of the issue, 2) analyze the impact that continued similar performance could potentially have on the program, if not corrected, and; 3) describe plans to correct the situation.

Under the proposed restructured workforce development system, the performance scorecards may provide additional perspective and context, for the program, provider, or region/local area.

In situations of underperformance, MDOL will work with the local area and the program operator to discover the reason for underperformance and help correct it. MDOL will ensure that data is available for local staff to identify the problem, analyze it, and devise a plan to correct the deficiency.

In some cases, underperformance identified in one quarter continues in subsequent quarters without an adequate way for staff to analyze data relevant to the problem. The expectation of the narrative is not to simply repeat previous explanations, but to advance the understanding of the issue for the purpose of discovering the root of the problem and taking remedial action.

## State Strategies for Using Wage Records: [(WIA Section 136(f)(2), 20 CFR 666.150)]

Employers doing business in Maine are required to report UI wages quarterly to the MDOL, Bureau of Unemployment Compensation (BUC). The wage data is available to verify UI status and produce the required performance reports. These reports are produced as needed to monitor performance. The ability to view UI status through the BUC interface with OSOS enables MDOL and local areas to operationalize the concept of continuous improvement.

The BES has a signed Wage Record Interchange System (WRIS) data sharing agreement with the Center for Workforce Research and Information (state agency that holds wage data) and the United States Department of Labor, Employment and Training Administration. The BES-designated staff queries the WRIS periodically to obtain wage records from other states to enhance performance. The BES does not share individual WRIS data with any parties, including the local area service providers. WRIS data, when available, is reported in the aggregate on the ETA quarterly reports. MDOL has an agreement with the Federal Employment Data Exchange System (FEDES) to capture federal wage data but this information is currently not being exported into OSOS.

# Desired Outcomes: [WIA Sections 112(b)(3), 136(b)(1)(A)(ii), (b)(2)(C), 20 CFR 666.110, 666.120(g), 666.300.)]

WIA Section 136(b), 136(c) and the accompanying regulations in 20 CFR 666.100 and 666.300 establish 17 performance measures that local areas and the State have to report to the US Department of Labor (USDOL). In addition, USDOL issued Training and Employment Guidance Letter (TEGL) 17-05 which introduced additional performance measures that local areas have to report. In May 2012, MDOL submitted a waiver request to USDOL to allow the State to replace the statutory performance measures with the 9 Common Measures that are identified in TEGL 17-05. This Plan also requests approval for the 3 Wagner-Peyser proposed goals.

In June 2012, the USDOL approved this waiver extension request. Under this waiver, Maine has been able to simplify the reporting system by discontinuing the use of the seventeen statutory measures and to fully implement the nine performance criteria under the Common Measures. The State believes that this simplified performance reporting system has been crucial for the continued improvement of the service delivery system. This waiver has been granted through December 31, 2012. A request to extend this waiver through June 31, 2013 is included in the Operational Plan, Section C of this WIA Plan.

Below is a summary of Maine's WIA and Wagner Peyser past performance and the State's proposed goals under the Common Measures waiver.

WIA Performance	Negotiated Goals Summary							
Measures	2009 Goal	2009 Actual	2010 Goal	2010 Actual	2011 Goal	2011 Actual*	2012 Goal (Requested)	
Adult	Adult							
Entered Employment Rate	82%	78%	82%	75%	82%	82%	82%	
Employment Retention Rate	81%	86%	81%	85%	81%	86%	85%	
Average Earnings	\$10,000	\$9,453	\$10,000	\$10,170	\$10,000	\$10,147	\$10,000	
Employment and Credential Rate	68%	66%	68%	59%	68%	66%	N/A	
Dislocated Worker								
Entered Employment Rate	87%	85%	87%	85%	87%	84%	87%	
Employment Retention Rate	90%	86%	90%	90%	90%	90%	80%	
Average Earnings	\$12,000	\$11,796	\$12,000	\$16,819	\$12,000	\$14,536	\$14,000	
Employment and Credential Rate	69%	57%	69%	56%	69%	60%	N/A	
Older Youth								
Entered Employment Rate	80%	73%	80%	63%	80%	78%	N/A	

WIA Performance	Negotiated Goals Summary							
Measures	2009 Goal	2009 Actual	2010 Goal	2010 Actual	2011 Goal	2011 Actual*	2012 Goal (Requested)	
Employment Retention Rate	80%	81%	80%	84%	80%	87%	N/A	
Average Earnings	\$4,000	\$3,843	\$4,000	\$4,320	\$4,000	\$5,323	N/A	
Credential Rate	59%	58%	59%	52%	59%	60%	N/A	
Younger Youth								
Skill Attainment Rate	99%	78%	99%	91%	99%	88%	N/A	
Diploma or Equivalent Rate	66%	82%	66%	78%	66%	86%	N/A	
Retention Rate	68%	69%	68%	68%	68%	70%	N/A	
Youth Common Me	easures**							
Placement in Employment in Education	80%	61%	80%	59%	80%	66%	62%	
Attainment of a Degree or Certificate	65%	68%	65%	62%	65%	70%	67%	
Literacy and Numeracy Gains	0%	9%	0%	8%	0%	7%	8%	
Customer Satisfact	ion							
Participant Satisfaction Score	80%	79%	80%	75%	80%	N/A	N/A	
Employer Satisfaction Score	76%	76%	76%	79%	76%	N/A	N/A	
Wagner-Peyser Performance Measures								
Entered Employment Rate	61%	56%	61%	54%	61%	55%	57%	
Employment Retention Rate	82%	80%	82%	79%	82%	79%	80%	
Average Earnings	\$10,800	\$12,580	\$10,800	\$12,951	\$10,800	\$12,619	\$12,000	

<sup>\*</sup>PY 11 4<sup>th</sup> Quarter outcomes from the ETA 9090 Quarterly Performance Report

<sup>\*\*</sup> Maine has been reporting against the Youth Common Measures since 2006. This will be the first year that Common Measures performance goals are set.

#### SERVICES TO TARGET POPULATIONS

This WIA Strategic Plan was developed with a specific focus on the current and emerging needs of Maine's workforce and to engage business and industry in the process. The Plan's intent is to provide Maine's workforce with every opportunity available to acquire the job skills they need to not only get a job but to advance in their careers. Throughout this planning process the SWIB, MDOL, Local Areas and service providers have been working collaboratively to address the need to narrow, if not close, the gap that exists between high-wage and low-wage workers. The focus on helping families to become economically stable is a strategic goal within the WIA Plan.

Leaders and policy makers within Maine's workforce system understand that trends in Maine's economy are going to impact the available workforce over the next decade. The workforce is not growing and the general population is aging. The workforce that will be needed to grow Maine's economy will come from our efforts to promote opportunities for new labor force entrants. This plan will specifically target services to those who are more likely to benefit from the training and education services we can provide. CareerCenters will recruit individuals who are displaced homemakers, lowwage, low-skilled, individuals with disabilities and persons whose native language is not English. The most important service we can provide to members of the disadvantaged workforce is skills training and career pathways leading to economic stability. We will continue to work on efforts to raise women's wages, particularly through non-traditional employment.

To direct outreach and recruitment efforts, the SWIB in Maine is adopting the position that funds are limited and the statutory and regulatory standards for providing services on a priority basis apply. To this end, local service providers will comply with the following standards:

- Individuals served in Intensive Services and Training Services with WIA Title I
  funds shall be income-eligible adults (this does not apply to dislocated
  workers and youth). Partner programs, such as Wagner-Peyser, may
  contribute resources to serve anyone in Core Services and Intensive Services
  without regard to income.
- The priority system will promote maximum customer access and inclusiveness by recognizing Temporary Assistance for Needy Families (TANF) funds may be available resources to supplement WIA Title I money. Linking TANF dollars with WIA Title I funds allows access by income-eligible customers who are not welfare recipients. Maine service providers already leverage TANF dollars by contributing training dollars to Individual Service Strategies (ISSs), while looking to the welfare system to pay for all income support needs. Local areas will to continue this practice, to be codified in

MOUs, if necessary. This does not prohibit using WIA Title I funds to support employment plans for TANF or welfare customers.

- Local areas shall serve customers in Intensive and Training services according to three classifications: significant segments, barriers to employment, and program-specific eligibility requirements.
  - Within each local area, providers must serve people by age, race and sex according to their incidence in their labor markets.
  - Within significant segment classifications, customers must face one or more of the following barriers to employment: literacy skills below the eighth grade, non-marketable education and work histories, lack of transferable occupational skills, physical or emotional conditions, pregnancy, homelessness, and poor legal histories.
  - People will be enrolled according to target group status when funding streams dictate, such as youth, veterans, dislocated workers, etc.

Maine has established policies regarding services by establishing priority criteria for low-income individuals to receive a subsidized service or support through Level II (Intensive) and Level III (Training). Formal eligibility determinations occur during Level I (Core B) services. At the time of application an individual must report family income to determine eligibility to receive Intensive and Training Services. Family income eligibility is determined by **one** of the following six economically disadvantaged standards:

- 1. Cash welfare recipient,
- 2. Family income is at or below poverty line or the 70% Lower Living Standard Income Levels (LLSIL),
- 3. Receives Food Stamps or was determined eligible to receive in the last six months,
- 4. Homeless per Section 103(a) & (c) of the McKinney Act
- 5. Foster Child, or
- 6. Individual with a disability whose income is at or below poverty line, or the 70% Lower Living Standard Income Levels (LLSIL).

One of the priorities of this Plan is to continue with the effective integration of programs and services providing a seamless system of services for customers at the local level, while assuring consistency of services among labor markets and geographic regions across Maine for everyone we serve. The Wagner-Peyser program is central to the overall CareerCenter service delivery system. Through Wagner-Peyser, the CareerCenters provide essential Labor Exchange services, especially for unemployment insurance (UI) claimants but for all other target groups as well. The CareerCenters are designed to provide quality information to the public about jobs, the dynamics of labor markets, available training and education opportunities, and links to other public and

private service agencies. For these reasons, Maine sees the Labor Exchange system as part of the foundation to its employment and training delivery system. Wagner-Peyser funding contributes to the mix of CareerCenter services in the following ways:

- Significant financial contributions to core and intensive services that enable all customers (employers, job seekers and educators) to access universally the information needed to successfully navigate the current labor market.
- Strong business connections between supply and demand side customers the connections are manifested through the services provided through the Maine Job Bank (job matching and labor market information).
- Contributing to smooth functioning labor markets through its job matching
  and information capacity, the CareerCenter system supports economic
  development goals. For example, CareerCenters will be the universal entrypoint for a diverse population, including, though not limited to, a sixteen year
  old researching career options while looking for her first job; a high school
  dropout trying to find a way back into the education and training system for
  a second chance; a dislocated worker exploring a career change; a public
  assistance recipient attempting to enter the labor market; or any person,
  regardless of circumstances, who is seeking employment.
- Wagner-Peyser services contribute to the system by administering a number of statutorily mandated programs for targeted populations including veterans, migrant and seasonal farm workers and individuals affected adversely by trade agreements.

Specific program design elements consist of tiered delivery comprised of three flexible and adaptive service strategies that are consistent with and support overall CareerCenter system development. Additionally, our restructured system will improve our capacity to develop programs, services, and workshops which will engage both the job seeker and the employer.

- CareerCenter services are designed for full accessibility for persons with
  disabilities; software and hardware accommodations are in place and will be
  maintained and upgraded for universal design in the Information Services.
   Self-directed access to products and services are available and are being
  expanded as system development continues. Customers can access products
  and services using Internet connections or by visiting a CareerCenter.
- Facilitated self-help is done through the Information Centers within each CareerCenter. This includes Core and Intensive Services as required under WIA §134.
- Staff-assisted services are provided one-on-one and in workshops.

Typical Wagner-Peyser services that contribute to CareerCenter products include common intake, online Maine Job Bank services, general and employer-specific assessments, labor market information, job search assistance, specialized recruitment, case management, and customized job development.

Consistent with WIA requirements and the SWIB's policy, the local areas and CareerCenter partners are charged with promoting universal access for all customers. It is the mission of the CareerCenters to operate a customer-focused service that *empowers all* adults to obtain the information and training they need whether they are employed or unemployed. The CareerCenters and partner agencies continue to face demands from a diverse array of customer groups ranging from highly educated adults to individuals with severe disabilities and serious learning deficits. Preparing job seekers to be effective workers, empowering them to achieve their employment goals, and training them to participate fully as community leaders requires innovative training approaches and educational programs that address their skills, interests, educational levels, personal background, aptitudes, and supportive service needs.

In this environment, with the economic diversity of Maine, the needs of employers and business owners are complex, constantly shifting, and quickly realigning. Responding to their needs will require all of Maine's economic and workforce development resources working together. The CareerCenters will continue to be open and accessible to all workers and the success of the CareerCenters' efforts will depend in large part on better coordination of policies and resources from all aspects of the state's workforce systems. Meanwhile several disparate and unique worker groups visit our CareerCenters with the hope that we will be there to provide guidance and training. Among them are:

# <u>Unemployment Insurance Claimants: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]</u>

The Unemployment Insurance Claimant population perhaps makes up the largest constituent group served by the CareerCenter system. As such, a wide range of programs have been established to address the reemployment interventions for this group. Throughout the past eight to ten years MDOL has developed a multi-tier response to serving unemployed workers, including:

- Worker Profiling: Targeted to "Likely to Exhaust" claimants who receive targeted job search assistance.
- Reemployment and Eligibility Reassessment Program: Targeted to claimants who have received 5 Weeks Continuous UI benefits. Claimants attend specialized workshops for the Eligibility Review Interview and Work Search review.
- Self-Employment Assistance Program: The Maine Enterprise Options
  program provides selected UI claimants with the opportunity to explore self-

employment while unemployed and receiving benefits. The UI target population is limited to those who are profiled and determined as "likely to exhaust." Participation is voluntary and by invitation.

- WIA Dislocated Worker Programs: Targets eligible individuals who are laid off or terminated through no fault of their own and are in need of retraining support to become employed.
- Rapid Response Services: Targets workers and employers affected by mass layoffs and closings to ensure the services are provided as early as possible to allow workers to "jump start" the process for providing effective readjustment and reemployment options. For some businesses, Rapid Response can provide lay-off aversion assistance.
- National Emergency Grants: Targets affected workers who are laid off or displaced due to company downsizing or closure.
- Trade Adjustment Assistance: Targets affected workers who are laid off or displaced as a result of work lost due to foreign competition.

# a. Underemployed Workers: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]

Maine's workforce system will continue to be focused on developing the academic and vocational skills that will prepare low skilled, low wage workers for better employment and further education. Due, in part, to the effects of the recent economic depression, affected workers and many underemployed workers have barriers to labor market success and thus require special assistance. A sample of these barriers includes:

- Low aspirations and/or discouragement
- Unsuccessful education experiences
- Low basic skills
- Severe disabilities
- Homelessness
- Criminal records

Intervention strategies, to be successful, require a systems approach among all partners and may include: school-based programs that provide additional support around positive peer networks, additional resources to find employment, and intensive basic skills development; Core and Intensive services that focus on the role that aspirations play in training and career decision making, to include promotion of higher learning; joint case management for hard-to-serve youth, such as homeless teens, that provides training resources from Title I and job retention and social support from community-

based agencies; mentoring; financial aid to obtain higher education; work experience and internships that provide real-world feedback about aligning their vocational aptitudes and abilities to jobs in the labor market; long-term supportive services, financial and otherwise; using work as a pathway from homelessness to independence; occupational skills training within growing industries.

The CareerCenter system service providers (MDOL, Bureau of Rehabilitation Services, Aroostook Community Action, Eastern Maine Development Corporation, Western Maine Community Action, and Goodwill Industries of Northern England – Workforce Solutions) have worked with youth agencies to meet the needs of their customers. The local Youth Councils have opportunities to build on these successes, and to build newer linkages with the Job Corps Centers here in Maine. In our restructured system, the SWIB will be deciding on a method to leverage existing Youth Councils' memberships with Maine's statewide Shared Youth Vision District Councils, and our Young Adult Network to ensure that the variety of youth focused efforts are integrated and collaborative.

# <u>Dislocated Workers: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]</u>

Despite Maine's declining unemployment rate, workers in occupations from declining industries or from economically sluggish parts of the state continue to face difficult transitions between jobs. Dislocated workers, who are unlikely to return to their jobs or even to their industries, generally have a wide variety of needs. Some have considerable education, skills, and work experience and simply need information and assistance in finding reemployment. Others have limited education and skills, or they have obsolete skills and require substantial assistance in preparing for new jobs and careers. Many dislocated workers also need income support and thus may have to combine retraining with work. The MDOL, the Maine AFL-CIO, and the Adult Education system have developed a coordinated approach for serving dislocated workers.

## <u>Veterans: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]</u>

The SWIB, MDOL and Local Areas are jointly required to develop and issue "priority of service to veterans" policy that applies "to every qualified job training program funded, in whole or in part, by the Department" for which they have direct oversight and responsibility. Board level area policy must adhere to 20 CFR 1010 dated December 19, 2008 and TEGL No 14-08 dated March 18, 2009, and incorporate veteran priority into current WIA priority of service policy. Veterans priority of service definitions for covered and non-covered persons can be found at Priority of Service for Veterans and Eligible Spouses: Final Rule (<a href="http://www.dol.gov/vets/">http://www.dol.gov/vets/</a>).

The SWIB, MDOL and Local Area service providers are responsible for developing strategies and implementing the veterans' priority of service as defined and required by

38 U.S.C 4215(b) and 20 CFR Parts 1001 and 1010. The Maine CareerCenters system is the core mechanism that will be used to support, expand and maintain services to our veteran population throughout the State. Disabled veterans and eligible spouses are the group(s) that will receive "top priority."

Priority of service applies to Workforce Investment Act Adult, Dislocated and Youth Grants, National Emergency Grants, Demonstration Grants, Trade Adjustment Assistance, Wagner-Peyser, American Recovery and Reinvestment Act (ARRA) and other core programs funded by the U.S. Department of Labor and administered in Maine by the Maine Department of Labor (MDOL). ARRA funding that supplements WIA Dislocated Workers, WIA Adults, WIA Youth and the Competitive Skills Scholarship Program (CSSP) must ensure that priority of service is afforded to Veterans.

The following guidelines and practices will be implemented and adhered to under the priority of services provisions:

1. MDOL and CareerCenter Service Providers will take the necessary actions to ensure that priority of service opportunities are clearly visible and articulated to all customers who engage in CareerCenter services. As such, Maine Department of Labor and local service provider's "priority of service to veterans" will, at a minimum, include the methods of implementing veterans' priority of service as follows:

### A. Outreach / Recruitment

- Inclusion of information regarding veterans' priority of service in printed materials targeted to customers and employers.
- Inclusion of information regarding veterans' priority of service in presentations made to customers and employers.
- Addition of veterans' priority of service information to service providers, Maine CareerCenters and Department of Labor web sites.
- Pro-active recruitment of veterans by targeted contact strategies or other strategies that focus on employers as well as job seeking veterans, particularly when the region is not in compliance with veterans' priority of service performance measures.

### B. Notification

 Addition of a veterans' priority of service rights statement to the complaint procedures provided to a Veteran customer; and/or

- Addition of a veterans' priority of service rights statement to the signature portion of the WIA (or other covered) program paper intake forms or applications.
- Inclusion of information regarding veterans' priority of service at front desk reception areas, as well as in universal access information center locations.
- Provide the opportunity for veterans and eligible spouses to make known their veteran status.
- The Maine Job Bank job notification system will inform eligible veterans of job opportunities first and on a more frequent basis than all other registrants

### C. Intake/Registration for Services

- Written policies to establish that service providers who
  receive WIA funds for employment and training programs will
  be required to identify covered persons at the point of entry
  to programs and/or services, so that veterans and eligible
  spouses can take full advantage of the priority of service.
- Written policies and procedures will be required to ensure veterans and eligible spouses understand their entitlement to priority of service and the full array of employment and training services available. Such policies will address eligibility requirements that veterans and eligible spouses must meet in order to gain entry into programs and be provided applicable services.

#### D. Eligibility for Services

- Written policies and procedures will be required to ensure veterans and eligible spouses meet the statutory eligibility requirements applicable to the specific employment and training program.
- Written policies and procedures will be required to ensure veterans and eligible spouses are given priority of service where statutory or mandatory priorities are in effect and particularly, where Local Area service providers have instituted mandatory priorities due to limited funds.
- Written policies and procedures will be required to ensure that veterans and eligible spouses receive access to services or resources earlier than non-covered persons, or before a noncovered person, if resources or services are limited.
- Written policies will be required that will target special populations of veterans including Special Disabled Veterans,

Campaign Badge Veterans, Disabled Veterans, and eligible spouses when services or resources are limited.

2. To determine whether veterans are receiving priority of service in core programs funded by the U.S. Department of Labor and administered by MDOL, several measurements will be incorporated. Benchmarks will be established to provide a base line from which measure the impact of priority of service to covered participants: one will benchmark the covered participants using prior program year data.

Many veterans, too, may face difficult labor market transitions, particularly upon reentering civilian life. They may require specialized employment and training services to boost their job prospects. VETS and MDOL have established effective program designs that include other providers such as the Togus Veteran's Rehabilitation program. Additionally, veterans with more severe adjustment difficulties may require counseling, social services, and more in-depth support from specialists who are more familiar with their needs.

Maine's LVERs are delegated the authority to generate the "Quarterly Reports on Services to Veterans." As such, nonetheless, the responsibility for the content of such reports remains with CareerCenter Managers. These reports focus on compliance with Federal law and regulations with respect to special services and priorities for veterans. Many of the "best practices" identified in the Technical Performance Narratives of such reports were the result of the hard work done by Maine's LVERs.

It is very important to note that all the defined and listed assigned duties of the DVOPs and LVERs staff this is not an all inclusive lists. As new USDOL and MDOL veterans programs are introduced and implemented, the veterans' team are the first to be asked to assist in delivering these services and programs to veterans. For example, the VOW to Hire Heroes Act of 2011 added a variety of programs and often unclear processes to our normal requirements under JVSG with the expectation that JVSG and CareerCenter staff could deliver without hesitation. These additional assigned duties truly challenge our entire "limited number" staff in meeting our expected negotiated performance outcomes.

Under the tenet of "awareness," Maine will focus on points of entry for services, both physical and virtual modes. All Maine CareerCenters and itinerant sites will have signage in their entry ways that defines priority of service for veterans. At the initial point of contact with CareerCenter staff at reception, veterans' status will be determined and priority for services will be discussed. For all hard-copy products (pamphlets/brochures) describing US DOL core-funded programs, priority of service for Veterans will be inscribed. On all MDOL websites, priority of service for veterans will be highlighted. This applies as well to the websites of LWIBs, program operators and others receiving US DOL core program funds. Early on in accessing the new Maine Job

Bank, a screen will reflect what priority of service for veterans means, particularly as it relates to precedence.

How services are made available to veterans and eligible spouses within our CareerCenter network is standard practice. No veteran or eligible spouse is turned away without receiving some service. DVOP Specialists and LVERs are stationed in each of our key CareerCenters. They are responsible for providing one-on-one assistance to veterans and eligible spouses including case management, assessment, planning, advocacy, job development, job matching, referral to other state and federal programs and follow-up. To some degree, other CareerCenter staff assists in these functions as well. DVOP Specialists and LVERs work exclusively with veterans and eligible spouses and facilitate their access to all programs and services for which they are eligible under the priority of service policy. Indeed, Veterans and eligible spouses may be referred to any available employment and training service open to the general public regardless of funding source. All CareerCenter staff are essential in supporting priority of service and expanding outreach to Veterans and eligible spouses through close-working partnerships with CareerCenter partners and by building and sustaining community-based partnerships and service networks.

Maine will continue to coordinate with our sister organizations to help support Veteran service initiatives. We will incorporate Veterans' priority of service language into financial and non-financial working agreements. For example we have existing agreements with the Maine AFL-CIO, a key partner in the delivery of rapid response services and outreach to dislocated workers in Maine. We also have memorandums of understanding with local adult education and community college partners who all provide important career development services to Maine workers, including Veterans and eligible spouses of veterans. We will ensure that priority of service language is incorporated into these and additional working agreements as to go forward in "Keeping the Promise!"

# Migrant and Seasonal Farmworkers: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]

Migrant and Seasonal Farm Workers (MSFWs) often face chronic unemployment and substandard living conditions. They generally need the rapid assistance of social services and health care along with more long-term support in preparing for alternative employment. The discussion of the Wagner-Peyser Agricultural Outreach that appears on page 90 provides a description of the service strategy in place to assist the MSFW population.

# Mature Workers: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]

Particularly in the current economy, mature workers who are displaced from jobs experience significant difficulty in reentering the labor market, and therefore may be more likely to withdraw from the labor force. The median age of Maine's population is 41 years with a median age of the workforce at 43.3 years and 62.2% of Maine's population who are employed are ages 55-64. With the oldest workforce in the nation and the majority on the verge of retirement, Maine industry is faced with critical, highend skills gaps not being addressed through traditional employment readiness or two-year training paths; approaches that often result in entry-level work skills yet require industry to take on the burden of real occupational skill training. With the aging baby boom generation, increasing numbers of low-income, unemployed older workers will require assistance. With the support of the Bureau of Elder and Adult Services and other Older Americans Act prime sponsors, senior citizens employment and training programs have been very active in Maine and in some cases, provide on-site staff at CareerCenters.

The SWIB's Older Workers Committee (OWC) addresses workforce issues for people over 55. The OWC provided advisory assistance and fulfilled oversight responsibilities for the federally-funded Aging Worker Initiative (AWI) and assisted the Muskie Institute in its Employer Initiative component of the AWI, facilitating job postings and developing employer education and feedback mechanisms. The OWC sponsors the annual Silver Collar Awards, recognizing employers for their exemplary practices supporting older workers. The Maine Centers for Women, Work, and Community, one of our most steadfast community-based partners, is offering their traditional career planning and career changing programs customized for people over 55. The AWI, in a report earlier this year, mentioned that it has enrolled over 150 older workers into AWI funded training. The majority of the training is in healthcare but there are also several in energy and information technology. Over 85 have successfully completed training and received their industry-recognized certificate.

The Maine Department of Health and Human Services' Office of Aging and disability Services, which is currently the state's official grantee for SCSEP funds, has approached the Maine DOL about a possible transfer of the state SCSEP program from DHHS to MDOL. The feasibility of this transfer will be under discussion during the course of late 2012 and early 2013. There is some interest in the proposal. If the transfer occurs, there will be a modification of the Maine SCSEP Strategic Plan to reflect the change. If no change occurs, we will still co-locate SCSEP programs within CareerCenters to facilitate the integration of services for SCSEP eligible individuals.

# Low Income and Disadvantaged Adults: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]

Low-income adults, the target population of TANF, Food Stamp programs, WIA, and public assistance programs face a number of barriers to labor market success; most probably have low basic skills and education and thus require basic education and literacy services. They often lack marketable work experience and employability skills. Low-income working adults frequently are stuck in entry-level jobs with no plan to advance a career. Maine will place particular focus on resources for providing training to increase and improve participation in skills training for economically disadvantaged and specifically targeted groups.

The ties between the CareerCenter system and the Maine Department of Health and Human Services (DHHS) Office of Family Independence have not been strong in the past. However, there are new rules in Maine related to TANF 60 month lifetime limit on benefits. In January 2012, DHHS's Office of Family Independence notified 3,023 TANF families that they are approaching this limit or have passed this limit and their TANF benefits will be closing. State law requires Maine to notify open TANF families at least 120 days prior to their closing due to the time limit. These families received their last TANF cash benefit in May of 2012. The TANF recipients affected by this new law are being encouraged to seek assistance with employment strategies by utilizing the services offered by MDOL.

Program designs have to take into account their intensive and long-term support needs in acquiring and retaining employment. This plan will specifically focus on this population to provide enhanced career advancement services with programs such as the WIA and the Competitive Skills Scholarship Program (CSSP).

Furthermore, Maine intends to improve program alignment and integration among WIA/One-Stop CareerCenter services, TANF assistance, and SNAP.

As a first step, Maine's State Workforce Investment Board recently restructured its membership to include the TANF/ASPIRE Program Manager. This person attends all full SWIB meetings and serves on the SWIB's Program Policy Committee. This has already resulted in closer communications between Maine Department of Labor Bureau of Employment Services (BES) and the Maine Department of Health and Human Services Office of Family Independence (OFI). This is fairly significant; it is the first time that public assistance programs have been formally at the table for workforce development.

In addition, the Commissioners of the Maine Departments of Education, Labor, and Health and Human Services are forming a work group to identify programs and services to best leverage each others' resources and capture common goals and outcomes. While this is not limited to WIA, TANF, and SNAP, this parallel effort provides added support to the integration of those programs.

BES and OFI have held a preliminary conversation. OFI oversees two assistance programs that include an employment component:

- TANF/ASPIRE: a program that helps TANF recipients find employment that will pay enough to make it possible for them to get off welfare.
- SNAP: the program that helps Food Supplement recipients find employment.

During this meeting, the OFI Director acknowledged that this agency's expertise is in eligibility and case management, while BES's expertise is in the realm of workforce development, job development, and job placement services. Both BES and OFI are comfortable with the idea of integrating their systems to benefit public assistance recipients and employers.

There's a firm commitment to achieve integration among these three federally funded programs. Now that the first discussion has occurred, the three programs intend to identify some states that can provide some models and best practices.

In our five year WIA Strategic Plan, we propose to identify the opportunities for better program alignment, collaboration, and integration among ASPIRE/TANF, SNAP, and WIA programs.

Currently, there are two examples of regional collaboration between WIA and TANF services. We would like to not only build on these partnerships, but we would like to see a two faceted approach to further collaboration and integration. In one facet, we will continue to foster collaborative activities by motivating One-Stop CareerCenters and TANF/SNAP offices to adopt one of the existing models (see below for more discussion of these models). In the short term, this will help us link the cultures of two distinct government programs.

In the second facet, we will implement a statewide, systemic program integration. By laying a foundation of culture-melding between workforce and public assistance, a systemic approach will be more widely accepted and have a better chance of long term acceptance and success with participants and employers. These are the two current collaborative models between TANF and WIA:

Lewiston-Auburn: The One-Stop CareerCenter and the regional TANF office hold joint staff meetings from time to time. At these meetings, both agencies provide updates on their programs, staffing, special programs, job fairs, etc. Significantly, the meetings provide a forum for strategizing on issues that impact both programs. For example, recent changes in state policy resulted in a large number of TANF exhaustees occurring in a short and immediate period of time. Knowing that many of these families would need other employment and training services, the CareerCenter and the Lewiston TANF office developed a process for ensuring that the exhaustees would be able to smoothly transition to WIA and/or Wagner-Peyser program assistance. In addition, these two

agencies, along with Lewiston Adult Education, collaborate on a Work Ready program for TANF participants with limited English proficiency.

**Bangor**: Tri-County area service provider Eastern Maine Development Corporation has partnered with the Bangor ASPIRE office to offer an Employment Transition Program (ETP) to ASPIRE clients. This program includes career exploration and job readiness workshops and skills training leading to an Individual Service Strategy (employment and training plan) with short- and long-term goals. Following the development of an ISS, the goal is to place the participant in unsubsidized employment by way of direct job placement, work experience, on-the-job training, or short term training. ETP participants also go through a work ready program in which many local employers assist with mock interviews, panel presentations, and networking.

### The WIA Strategic Plan proposes the following:

- Defining alignment, collaboration, and integration, and identifying concrete actions to address all three
- Agree on simple immediate collaborative actions—cross educating CareerCenter consultants and TANF/SNAP caseworkers, distributing each others' program materials, ensure that participant orientations include information on all three programs, etc.
- At the local and regional level, CareerCenters assist TANF and SNAP offices with business/employer relations
- At the local and regional level, TANF and SNAP offices assist WIA CareerCenters with social service agency relations, community referrals, etc
- Identify where waivers may be needed and request them
- Establish protocols for co-enrollment, co-case management, lead agency roles, etc.
- Flesh out confidentiality issues and practices to reduce likelihood of inter-agency conflict and poor communications
- Draft relevant MOUs or MOAs
- Develop common measures for program effectiveness
- Reach agreement on outcomes common to all programs—economic selfsufficiency through pre-employment training and placement in good paying, permanent jobs
- Upgrade data collection for all three programs to reflect common measures
- Identify areas in the systems that appear duplicative and reduce or eliminate the duplication (for example, one intake form instead of three)
- Using the two current examples mentioned above along with any other collaborative models that evolve in the meanwhile, position them for replication in other regions, evaluate the programs and assess them for broader/statewide application
- Investigate current models in other states: examples include New Hampshire and South Carolina
- Develop an ongoing inventory of best practices for WIA-TANF-SNAP alignment, collaboration, and integration

- Distribute or impose best practices at the regional level
- Explore use of incentives and bonuses for program integration, collaboration, and alignment
- Utilize the SWIB as a forum or establish a specific work group charged with investigating the issues and systems that would impact or be impacted by alignment, collaboration, and integration.
- Use the analysis from the Center for Law and Social Policy, Integrating TANF and WIA into a Single Workforce System: An Analysis of Legal Issues, and the experiences of other states to fully discuss what would be needed to integrate and align Maine's TANF, SNAP, and WIA services
- Test all new approaches and evaluate regularly, through the SWIB and/or a special task force or third party evaluator

Maine will use the newly restructured SWIB design to closely monitor this "integration and collaboration" program model.

## Services to Youth and Young Adults: [WIA Sections 112(b)(18)(C), 129)

In Maine, WIA youth programming remains focused on targeting "at-risk" youth (both in-school and out-of-school), who face employment, academic and vocational barriers. Over the years the Local Workforce Area Youth Councils and service providers have worked to develop comprehensive programs for youth services that are integrated with all of the services provided through Maine's CareerCenter system. Youth programs are organized at the local level to provide all young people with access to the resources and skills they need to achieve and maintain self-sufficiency and economic stability.

The Local Area Youth Councils continue to stay engaged in assessing existing youth services and partner with both statewide and local entities to help youth access services and achieve academic success and career pathways. In addition, CareerCenter and MDOL staff participate on a wide variety of youth initiatives such as Maine's Share Youth Vision Council, Keeping Maine's Children Connected, the Assistive Technology Council, Committees on Transition, the Task Force to Engage Maine's Youth, Maine Youth Suicide Prevention, Committee on Truancy, Dropout, Homeless, Jobs for Maine Graduates, Alternative Education, local and regional Case Resolution Committees, the Department of Education's Career Pathways Initiative, and Maine's two Job Corps Centers. Maine continues to work toward effective collaborations with many organizations to fulfill the vision of focusing youth investments on those who are most in need. At the SWIB and MDOL level we continue to promote pre-apprenticeship and registered apprenticeship by providing greater access to high school juniors and seniors as Pre-Apprentices.

The WIA youth funding stream has contributed to creating a system that can tie programs together by using the CareerCenters as a clearinghouse to match the needs of individual youth to the appropriate programs and services on an ongoing basis. The four

Local Areas have implemented services and strategies to achieve the vision through the following:

- Developed and expanded programs to include the ten elements of youth programs listed in WIA §129(c)(2).
- Developed programs that draw upon the complete array of youth services available in the Local Area in order to provide more holistic services to individuals. By so doing, the duration of service has been extended as necessary to provide the youth with a solid basis for being able to maintain independence.
- CareerCenters have expanded services to schools and alternative programs to assure that students have access to the information necessary to make career decisions.
- Collaborated with a wide array of statewide organizations serving youth, e.g., the Department of Education, Bureau of Rehabilitation Services, Job Corps, Jobs for Maine's Graduates, and community based organizations, to assure expanded access quality services for youth and reduce duplication of efforts.

Under waiver authority, Maine has adopted the Common Measures, replacing statutory performance measures for Youth. As we begin the process of reexamining youth service strategies at both the SWIB and Local Area level we must ensure stakeholders have a thorough understanding of the WIA youth system, how it fits into the workforce delivery system, and how it is set up in individual local areas. It is essential for local areas to design and deliver services that meet both Common Measures *and* the needs of the youth that are served.

Maine's workforce system is currently reexamining its overall youth service strategy and focusing developing youth programming (ages 14-21) under Common Measures as well as attempting to address the significant needs of the state's young adult population (ages 18-25). Effective local WIA youth systems help youth move toward self-sufficiency in all these areas of their lives. However, it is not the responsibility of the WIA youth system alone to meet all the needs of local youth. Other youth development programs have primary responsibility for meeting many of the needs of at-risk youth. Local area WIA youth systems collaborate with those programs to help fill the gaps in the family, educational, and social frameworks that may be missing in the lives of many at-risk youth. Maine stakeholders believe that in order to provide success for all youth, programming must include the following key elements:

- Stakeholders have a common, shared Vision
- Locally Coordinated Outreach and Intake
- Youth Oriented Service Strategy Development

- Responsive and Relevant Services
- Effective Follow-up

The SWIB, MDOL, local areas and service providers strongly agree that we need to focus the systems resources on serving the underemployed, particularly amongst the young adult population (ages 18-25). In Maine and throughout the country, young adults (18-25 year olds) in the workforce are the most likely to be unemployed and underemployed. Maine's highest unemployment rates are for those between the ages of 16 and 19 (21.8 percent), 20 to 24 (15 percent) and 25 to 34 (9.4 percent). Nationally, 12% of young adults reported being unemployed in 2009 and 2010, more than double the 5% of unemployed 30- to 49-year-olds. Additionally, more than one in four young adults were underemployed, compared with 15% of adults aged 30 to 49.

In January 2012, the BES convened the first statewide meeting of the Young Adult Network. This meeting followed the November 2011 Young Adult Summit (Building Community Networks for serving Young Adults) hosted by USDOL / ETA Region I in Boston, MA. With the common goal of realizing economic and personal success for young adults, the Young Adult Network represents service providers from youth programs throughout the state. Its goal is to provide an opportunity to better understand from one another the severity of the problems faced by 18-24/25 year olds and how young adults have been impacted by the recession. The primary goals of Maine's Young Adult Network are to:

- Enhance connections between local programs and CareerCenters;
- Provide exposure to a range of service resources for youth/young adults;
- Encourage collaboration among partner programs serving youth/young adults.

The Maine Department of Education has developed the objectives and strategies to better align education and workforce development:

 Improving on time high school completion and increasing numeracy and literacy skills:

Nearly one out of five Maine youth do not graduate with their peers, putting them at risk of a lifetime of lower earnings, ongoing public assistance, and, in worst cases, incarceration. Community based programs that focus on dropout prevention and retrieval can help students graduate on time. To help meet this goal, the Maine Legislature passed LD 1658 in 2010, mandating that all publically supported high school achieve a graduation rate of 90% by the end of the 2015-16 school year. But in many cases a high school diploma is not sufficient to ensure readiness for future careers or post-secondary training for our young people because a large percentage of students who *do* receive high school diplomas may not be adequately prepared for college or careers.

The current graduation rate for Maine is 83.4%. While Maine's overall graduation rate continues to improve, many of our high school graduates are not prepared for college or the world of work. There is much work to do in preparing students, especially in the STEM disciplines of math, science, technology and engineering disciplines. Statewide, only 39 percent of 2010 high school graduates met proficiency standards in both reading and math during their junior year. Sixty-nine percent of students who are not proficient in mathematics in the 3rd grade are still not proficient by fifth grade. The pattern repeats itself throughout elementary, middle and high school. Among eighth graders who are not proficient in math, 88 percent are still not proficient by the end of the 11th grade (Source: Maine Department of Education).

Maine will focus efforts on academic remediation for in school youth and provide resources for out of school youth to focus on gaining the academic foundation to better prepare them for their future and improve their chances of gainful employment.

## 2) Preparing for and success in employment

- Maine has been selected as one of six states to partner with Harvard and Jobs for the Future on the *Prosperity to Pathways* initiative. The goals of the project include building a system of pathways for high school students toward a post secondary credential, preparing and connecting students with employment and learning opportunities, engaging employers to provide work experience opportunities for youth and serving as mentors. The Governor has asked Jobs for Maine's Graduates and the Maine Manufacturer's Association to be partners on a demonstration effort, to prepare youth for entry level positions in the manufacturing sector. This project will align with the Industry Sector Partnership strategy of the State Workforce Investment Board. The IT and Healthcare sectors will also be a focus of this effort. The work in the Healthcare sector will build on the best practices and lessons learned from the recent \$4.9 million healthcare grant Maine received in 2010 and the Maine Jobs Council's health workforce strategic plan project funded by the US DHHS in 2011.
- Maine will focus on increasing volunteer opportunities, internships, OJT's, apprenticeships, and other "earn and learn" opportunities and work programs so youth can gain job skills, work habits and confidence.
- Maine will strengthen school-to-career programs. For at-risk students to become
  invested in learning, the payoff to learning must become clearer and more
  realistic. School-to-career programs can serve this purpose. These programs can
  help students acquire the informal skills needed to succeed in the workplace,
  including the attitudes and work habits employers require. They teach the "soft

skills" that employers value: good work habits (attendance, dependability, perseverance, attention to quality) and social skills (the ability to work with others and interact well with the public). While some employers provide training in academic or technical skills, few provide training in soft skills or work habits (Rosenbaum, 2002). Such opportunities can be especially important for young people in disinvested communities, who often lack the social networks and personal contacts that help entry-level workers learn about and land good jobs. School-to-career programs can give employers a chance to get to know and gain confidence in disadvantaged youth. There will be a focus on providing comprehensive career planning and exploration services to Maine's youth.

The Maine Department of Education's Strategic Plan states, as a goal, Students commonly access internships, apprenticeships and other opportunities to learn in workplace settings, apply academic lessons and explore potential career fields. It goes on to say that the objective is to develop a set of strategies for the expansion of career and workforce partnerships, based on feedback from school districts and the employer community.

The workforce development system needs to align workforce development programs with Maine Department of Education goals for career preparation. Building the workforce of Maine's future will require an unprecedented partnership between employers and educational systems at all levels. Learners should have broad access to opportunities for workforce and career exploration, and educational programs at all levels should work to ensure that their students develop college- and career-ready skills. Opportunities for students to intern with employers should be expanded and flexible schedules should be created to allow students to apprentice with employers part-time while completing their studies. Efforts should be made to align curricula and coursework at all educational levels in order to create clear college and career pathways for students (Source: Maine DOE Strategic Plan).

A good first step in this work will be for the Maine DOE to survey school districts, Career and Technical Education centers and adult education programs to determine current practices with regard to career and workforce partnerships. The results of the survey could then be used to develop strategies to expand such opportunities. Efforts should also be undertaken to review state law in order to identify potential barriers to expanding educational opportunities in Maine's workplaces.

### 3) Providing supports for youth

Studies show students who drop out of high school earn far less than those who graduate, are more likely to be incarcerated, have a higher incidence of substance abuse

and are much more likely to rely on public assistance. This inability to be self sufficient requires ongoing taxpayer support. Disconnected youth often leave high school without a plan for the future. Starting at middle school students need to connect with a caring adult who help them sort through and plan for the decisions their future. These services will be provided on a year-round basis in a school setting to In School Youth.

Maine has formed a Youth Action Network to begin a dialogue about how to best serve our out of school population. The development of tools, resources, and partnerships are underway; however, many older youth are jobless and need to connect to a meaningful career path. More opportunities need to be created for youth to get valuable paid and unpaid work experience. Maine will accomplish through efforts like the *Pathways to Prosperity* demonstration project mentioned above.

The workforce system needs to provide the supports that allow vulnerable youth to participate in job training. Young people who have no families to fall back on, including those leaving foster care, those with special needs, and those without English-language proficiency, often need more intensive supports to participate successfully in training programs. These supports may include stipends, health care, and/or child care (Osgood et al., 2005).

The workforce system needs to provide focused assistance to youth aging out of foster care. Many 18-year-olds leave the foster care system without a lasting family connection and at risk for later hardship. For these vulnerable young people, job training is not sufficient. These young people need comprehensive preparation for adulthood—a sustained, systematic, developmentally appropriate approach to helping them transition successfully to independence and gain the wide range of skills they need to successfully continue their education and/or make initial steps on a career path. Effective, individualized planning and case management are keys to this approach (Frey, Greenblatt & Brown, 2007).

### 4) Services to develop the potential of youth as citizens and leaders

Provide opportunities for civic engagement. A positive approach to youth development stresses the contributions that all young people can make to their communities. Community service and civic engagement have been found to increase the odds that youth will have positive role models and adults to whom they can turn for help and connection to social networks. Every community has some "natural helpers"—neighbors, faith leaders, and other community members who make themselves available to mentor young people.

However, intensive efforts are needed to ensure that all teens and young adults have the caring adults and institutional opportunities that support civic engagement. Young people who attend schools in high-poverty neighborhoods may have fewer opportunities for service or civic engagement. Those whose families are

economically marginalized, those who need to contribute to household income, and those who provide child or elder care at home, may find it harder to do service work (Finlay et al., 2007).

Include youth in decision-making about policies and programs designed to reengage disconnected young people.

The voices of young people need to be heard and taken fully into account in the planning and implementation of policies and programs that affect them. This is not simply a matter of political correctness. Young people often have keen insight into the factors that can promote or impede engagement in schools, jobs, and communities (Frey & Brown, 2007; Sanders & Munford, 2007).

Provide developmental opportunities that recognize the importance of social networks. Young people who are cut off from mainstream opportunities and networks need connection to positive adult role models, a wider range of social networks, and chances to become engaged in community or civic affairs (Finlay et al., 2007). Sustained relationships with adults in the community can help students thrive despite adverse conditions. Mentors can also help young people make the transition from school to work.

5) Develop and maintain Partnerships and alliances to leverage Maine's limited resources

Focus on cross-system collaboration. Many kinds of youth development programs and policies are designed to keep young people engaged in productive activities or reengage those who are disconnected from school or work. Efforts to reach and reconnect struggling youth require collaboration across all youth-serving systems, including school districts, foster care agencies, pregnancy prevention initiatives, juvenile justice, workforce development, and social service agencies (Harris, 2005, Moore, 2007). All of these approaches can be effective, but for young people in our nation's toughest communities, a patchwork of programs is not sufficient (Annie E. Casey Foundation, 2004; Moore, 2007).

Many best practices already exist in Maine; we could do better with our limited resources if the best practices were replicated instead of investing money in trying to recreate the wheel. We need to find a way to "link and leverage" these various efforts across existing partnerships and alliances, and with the formation of new relationships, to work together to serve Maine's In School and Out of School youth.

People with disabilities: [WIA W-P Section 8(b); WIA Section 112(b)(17)(A)(iv), 20 CFR 663.230, 663.640, 667.275(a)]

People with disabilities are an untapped resource for the state of Maine. There are many people with disabilities who want to work but who are unemployed, under-

employed, or who have been unable to enter the job market. Statistics from Snapshot 2011 indicate that persons with disabilities have added challenges to gain the needed skills to secure employment at a livable wage. Persons with disabilities are three times more likely to live in a household in poverty, are one half as likely to be employed and one third less likely to gain the skills needed for today's job market. In 2009, there were about 109,000 working-age adults with a disability living in Maine. Of these, 37,000 were employed. The employment rate of people with disabilities is less than half the rate of those with no disability.

People with disabilities face a wide range of obstacles to labor market success, including lack of support services to facilitate employment, and discrimination in the workplace. These customers may also have deficits in basic skills or low levels of education and may require further education and training to find suitable employment. Additional barriers include visual and hearing impairments, mental illness, and developmental disabilities. The Bureau of Rehabilitation Services (BRS) is housed within the CareerCenters and has proved invaluable in contributing to leveraging resources for serving people with disabilities.

In 2006, MDOL received Disability Program Navigator (DPN) funding from USDOL, and in 2009, we were awarded a Disabilty Employment Initiative (DEI). The current DEI grant operates through September 2013. Both of these grants have enabled Maine's workforce system to systematically expand resources and access within the CareerCenter for people with disabilities. Maine's focus with both of these initiatives has been to provide comprehensive, seamless, integrated employment services to job seekers with disabilities. Through DEI, MDOL will continue to deploy the following strategies to reach the promise of full participation of individuals with disabilities in Maine.

Integrated Resource Teams (IRT):

DEI will draw on solid partnerships already in place with the, Vocational Rehabilitation, community providers, educational institutions, and many others to offer IRT meetings for jobseekers with disabilities.

 Integrating Resources and Services, Blending and Braiding Funds, Leveraging Resources:

To encourage the use of its IRT model, Maine dedicated DEI resources to serve as a flexible funding pool for jobseekers with disabilities who utilize the IRT process – an incentive for collaborators and jobseekers to participate and succeed.

Asset Development Strategies:

At the state and local level, Disability Resource Coordinators have established an Asset Development Coalition in conjunction with strategic partners and community housing, health, banking and other organizations.

#### • Partnerships and Collaboration:

A key asset in Maine is the co-location of the Division of Vocational Rehabilitation within the CareerCenters. This grant will build on this collaboration and work with the Local Area staff within the targeted regions to ensure availability of comprehensive knowledge and resources to assist individuals with disabilities to enter and remain in the workforce. DRCs will continue to work closely with the state's Medicaid Infrastructure Grant (CHOICES CEO), the Department of Health and Human Services, and Maine's WIPA project, as well as employers, educational organizations and community providers as specified herein.

In 2009, the BES became an approved Employment Network under the Ticket-to-Work Initiative. The Ticket to Work Program is a Social Security Administration (SSA) employment and health care initiative for people with disabilities who want to work. The program goal is to increase opportunities and choices for adults ages 18–64 who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits. The primary goal of the program is to help recipients receive training and support in finding and retaining employment. Through the Ticket-to-Work program, eligible participants receive vouchers, known as "tickets," that they can use to pay for job-support services, such as transportation, with providers who are part of a Ticket-to-Work Employment Network.

# Single parents and Displaced Homemakers: [WIA Sections 112(b)(17)(A), (b)(17)(B), (b)(8)(A), 20 CFR 652.207, 663.600-640, 29 CFR 37)]

In addition to the traditional employment and training services, single parents and displaced homemakers generally require childcare services while working or while learning new skills. Significant numbers within each population group need intensive prevocational assistance with career decision-making, building self-esteem and learning how to translate their family-management skills to opportunities in the labor market. For some single parents, especially mothers, a "nontraditional occupation" may be the ticket to a more economically secure future. One of our partner agencies, Women Unlimited, provides occupational skills training in non-traditional occupations and under a recently completed pilot program, this organization located staff in CareerCenters on a regular, rotating schedule. Not all the data has been examined yet, but anecdotally, there was a modest increase in the number of women considering, trained in, and placed in better paying nontraditional occupations. If the final data bears out our expectations, this approach would be considered again. Maine Centers for Women, Work and Community (MCWWC) provides high quality services that empower displaced homemakers in acquiring new jobs and economic independence.

## Individuals with limited English proficiency

According the Migration Policy Institute the number of immigrant workers in Maine grew by 18.0 percent between 2000 and 2010. People within this category, including those speaking languages other than English, face unique challenges. They must master reading, as well as improve their speaking and listening comprehension abilities while at the same time seeking meaningful employment to support themselves and their families. The CareerCenter partners with local adult education programs and faith-based organizations to build effective linkages for serving these diverse needs so that the opportunity for employment is realized. Additional data provided by the Migration Policy Institute clearly indicates the need for Maine's public workforce system to continue to work closely with the providers of services for foreign born residents who need assistance with ESL and other services:

- In 2010, 3.5 percent of civilian employed workers age 16 and older in Maine were immigrants, compared with 3.0 percent in 2000 and 2.9 percent in 1990.
- Immigrants accounted for 6.4 percent of civilian employed workers with no high school degree and for 4.3 percent of college-educated workers age 25 and older.
- There were 563,923 civilian employed workers age 25 and older in Maine in 2009. Immigrants made up 3.4 percent (or 18,954) of these workers.
- Of all low-educated workers age 25 and older employed in Maine in 2009, 6.4 percent (or 1,475) were immigrants. Among the college-educated workforce, immigrants accounted for 4.3 percent (or 7,646).

### Criminal offenders in correctional institutions

This population faces numerous barriers in reentering the workforce. A major barrier is low educational attainment. Estimates of those without high school diplomas or with major literacy deficiencies range from one-third to one-half. MDOL and the CareerCenters are working collaboratively with the Department of Corrections to develop effective prisoner re-entry program. The CareerCenters work closely with representatives from the Department of Corrections and Juvenile Justice system to help bridge the transition of incarcerated youth back into their communities.

# <u>Services To Employers: [(WIA Sections 111(d)(2), 112(a), 112(b)(8), 112(b)(10), W-P Section 8, 20 CFR 661.205(b)(1)]</u>

Alignment with Regional Economic Development

Maine has seven regional economic development districts each required to create and implement community development strategies that will align with and be supported by state and regional workforce investment initiatives. Maine's proposed workforce system reconfiguration, working in tandem with eight regional Chambers, will ensure industry members served by each of the regional economic districts have a direct voice in workforce development initiatives in their respective areas and will establish a two way exchange by which information about employer workforce needs and responding workforce services can be disseminated on a broader scale.

The Maine workforce development system has always worked in partnership with state and regional economic development groups, informally and formally through commitment of state-funded workforce training resources (*Governor's Training Initiative, Maine Quality Centers, and Maine Apprenticeship*) to companies starting and/or expanding operations in Maine. Maine's new SWIB configuration will promote change in the way state and regional partners work together to assess and address workforce needs. Decisions on the investment of funds vetted through a single State Workforce Investment Board will expedite the commitment of state and federally funded workforce resources (*WIA, TRADE, NEG, WP, and Discretionary*) to support employer-based training approaches that will address critical industry skill gaps and result in direct hire and placement of eligible workforce participants.

As Industry Partnerships develop, they will provide input to the SWIB that will allow providers to further refine employer services that complement and strengthen workforce development in their respective industries.

Policy initiatives generated through a single state workforce investment board will promote steps that align investment of state and federal resources from multiple state agencies including: Labor, Economic and Community Development, Education, Health and Human Services and more. Strategic investment of resources will become common practice. Department of Economic and Community Development (DECD) account executives will be trained to promote workforce development services to their business customers and, in collaboration with local CareerCenters, will package workforce and business assistance resources to support job creation. Cross agency teams will include Maine CareerCenters, Maine's Small Business Development Centers, state, county, and municipal economic development entities, the Maine Manufacturer's Extension Partnership, the Maine Technology Institute, the Business and Continuing Education divisions of Maine's Community College System (MCCS), the University of Maine System economic development arm, and private industry associations. This will enable all workforce development stakeholders to work in collaboration in assessing needs,

pooling resources, and in the promotion of training for workforce participants that will fill critical skills gaps.

#### **Dual Customer Focus**

The Maine workforce system promotes investment in workforce training for occupations that are in demand; however, federally and state funded programs are often administered in silos and specific uses of funding are determined by the individual service providers responsible for fund distribution. This often results in resource planning that is primarily supply-side focused (participant driven) versus demand or industry driven. Likewise, job development efforts typically take place on behalf of individual workers rather than wide-ranging industry sector need.

Strategic approaches that can address sector or industry skills gaps are difficult to implement on a regional level alone because industry sectors in Maine are spread across the full geography of the state. Even natural resource based industries are not concentrated in any one geographic area. Workforce system approaches must encompass the sector and/or industry needs that span the full statewide region. Investment of specific workforce resources on behalf of identified growth industries and sectors must be promoted. Investment of private, federal and state workforce resources must be aligned with employer/industry need so that workforce challenges currently impeding economic growth are addressed and long term unemployed workforce members are prepared to enter career paths in high-demand occupations.

In order to ensure competitiveness of both workers *and* employers, priority will be given to customized training approaches that result in the trainee attaining self-sustaining employment and industry recognized credentials and, when appropriate, entry into long-term skill development programs such as Registered Apprenticeship.

#### **Engaging Employers as Partners**

By extolling the outcomes of successful pilots initiated through the industry partnership model, employers will be informed of authentic examples of the advantages of joining with and utilizing system resources for their workforce needs. Over 90% of Maine's businesses are very small, having 25 or fewer employees. These small businesses are Maine's primary job creators, yet owner/operators of these establishments often wear multiple hats and have little time to navigate the gamut of services and programs available to them. Past employer outreach has been primarily program-centric; so rather than monopolize precious time explaining a lengthy menu of services, the new approach must focus on assessing and addressing specific employer needs and making access to workforce resources as simple as possible. This will be accomplished through multi-agency teams working in collaboration, behind the scenes, to identify and package appropriate, just-in-time, resources on employer behalf. Cross agency teams will conduct workforce needs assessments that will guide which technical and financial

resources are appropriate in much the same way they do now for workforce participants.

Introducing the Integrated Service Strategy, an approach modeled after the Individual Service Strategy but with a twist, the employer ISS will include the resources of multiple agencies (as necessary) and will be reliant on the ability of business assistance teams to bundle resources and/or services that will meet specific employer workforce goals. It is important to note that workforce goals are not isolated from other business challenges or aspirations. Most employer workforce needs are triggered by organizational changes (expansion or downsizing) or changes in processes or products and services being provided. Some workforce needs are triggered by the introduction of new technologies and most recently by the attrition of highly-skilled workers into retirement. The ISS approach will allow workforce system teams to leverage resources and facilitate approaches that meet both employer and worker needs.

Just as workforce clients are not required to understand the eligibility criteria and nuances of every funding stream - nor should the employer customer be. Eligibility determinations for workforce clients are accomplished via a succinct needs assessment/intake process after which appropriate programs and resources are bundled on their behalf. This same process will be used to serve employers. An added benefit to using a familiar approach to employer services is it reduces the learning curve for workforce system professionals being trained to serve employers as customers.

#### <u>Services to Employers</u>

As is the case with participants, services to employer customers must be needs driven. Because employers do not access CareerCenters in the same way workforce participants might, strategic outreach efforts should be exercised. For example, when any employer is recruiting for multiple similar positions via the Maine Job Bank, this would trigger outreach from employer assistance staff to identify whether or not the company would benefit from Positive Recruitment methods or an Employer Specific Job Fair. Staff would offer the option of selecting new hires from WIA Eligible Participant Pools that have undergone Screening and Assessment and in consultation with the hiring employer, provide Pre-Hire Training, On-the-Job Training or Customized Training to prepare them for entry into the advertised jobs and would offer supporting resources such as the Work Opportunity Tax Credit and Registered Apprenticeship.

Projects in which participants attain skills and gain jobs through Employer Based Training approaches could receive post-hire case managed Retention Services. All employer based approaches are more cost-effective because the training will address skill gaps in a condensed time frame, leverage private employer match and reduce the amount of time the participant is dependent on UI and other social service supports.

Outreach to new businesses is critical to development of long term relationships; this can be accomplished by providing a Services Welcome Package that explains the basics of becoming a workforce system partner, surveys immediate workforce needs and underscores information and services specific to their requirements. Such guides can apprise them of staff-assisted and online tools and resources that can help with everything from Development of Job Task Statements, Job Design and Reengineering to resources that help address Human Resource and Succession Planning challenges and that enable them to analyze their workforce training needs.

In Maine, employers have access to SafetyWorks! —a consultation and training program that helps companies establish a safe work environment and offers OSHA-Required Safety Training at no cost. The Maine CareerCenter webpage provides information on Legal Hiring Practices, Effective Recruitment & Interviewing Techniques and Access to Regional Demographic and Economic Data they can use to determine the feasibility of expansion in or location to Maine. Maine's Center for Workforce Research and Information can provide in-depth analysis for large expansions.

The Industry Partnership Approach emphasizes high-growth industries such as health care, professional services and tourism yet stresses the importance of sustainment of mature and fixed industries that offer high-wage, high-skill jobs such as precision manufacturing and natural resource-based sectors, including: Forestry, Agriculture, and Aquaculture as well as their value-added derivatives – food and lumber processing, paper manufacturing and wood renewable energy enterprises.

Cross agency partnerships will result in Layoff Aversion Strategies employing Skills Gap Analyses and effecting multi-agency collaboration for Early Intervention that will link struggling employers to business assistance programs and technical assistance on a just-in-time basis. Rapid Response and set-aside funds may be used to train employees at risk of losing their jobs to better utilize new technologies through Incumbent Worker Training programs.

## **Target Populations**

Encouraging Integrated Service Strategy and Employer Based Training Options first will allow workforce professionals to negotiate directly with employers on behalf of target populations. The integrated service approach will require workforce service agencies (WIA, Wagner Peyser, Vocational Rehabilitation, ASPIRE, and other Community Based Organizations) to work collaboratively to address employer needs while at the same time leveraging and expanding access to training and employment choices for target populations.

Already piloted approaches have utilized funding from a variety of federal and state programs to jointly serve WIA, Veteran, Pre-Release, At-Risk Youth, and NEG and Trade affected participants to enter employment. A recent project involved recruitment of

WIA participants from four separate CareerCenters, utilizing funding from seven different funding streams, provided seven weeks of pre-hire training from five different providers which included classroom training and a short term OJT; the project cost just under \$3,000 per trainee and culminated in 12 participants entering building trades apprenticeships with benefits and starting wages of \$14.00/hour with potential to earn \$25.00/hour upon reaching journey-level status.

Another endeavor involved the CareerCenter partnering with Economic and Community Development, the Maine Manufacturer's Extension Partnership and an individual employer; participants were recruited from Vocational Rehabilitation, Pre-Release, WIA-dislocated adults, and Wagner Peyser and resulted in 10 participants receiving a two week intensive classroom training and an eight week on-the-job training all at <u>no cost</u> to the workforce system; training costs for this project were covered through a Community Development Block Grant.

Vocational Rehabilitation in partnership with Health and Human Services and the State Chamber of Commerce has initiated the Maine chapter of the U.S. Business Leadership Network, a Business to Business initiative to promote employment of people with disabilities. Partners collaborate behind the scenes to recruit and assess a pool of applicants from which participating employers can select new hires. Two projects have been launched in Maine, with nationally renowned manufacturers - Tambrands and L.L. Bean. Companies participating in the network and hiring workers with disabilities reap many benefits, the most significant of which is positive public relations (88% of Americans prefer to give their business to companies who hire people with disabilities); partnering employers may also have access to the services of an Employment Specialist who acts as a liaison between the many service providers and company management. Some new hires may receive the benefit of an on-site Job Coach. To encourage a smooth transition for both new and existing employees, training on Disability Etiquette can be offered, and finally, information on available Tax Credits and Incentives that may assist the employer to acquire resources for necessary accommodations.

## System and Cross Agency Staff Development

The Integrated Services Strategy will only be successful through provision of intentional cross-training by and between systems service partners. This approach has already been modeled and proven successful using WIRED grant funds. The cross-training resources are in place and ready to go. The policy to support cross-agency collaboration is the necessary step in ensuring that workforce system resources are invested in and aligned with industry growth projects that meet the needs of Maine's workers and that will spark and sustain growth in Maine's economy

### WAGNER PEYSER AGRICULTURAL OUTREACH: [(WIA REGULATIONS; 20 CFR 653.1070]

#### Assessment of Need

Maine's agricultural activity is built around the seasonal nature of our agricultural crops and harvest seasons. Many of Maine's Migrant Seasonal Farm Workers (MSFW) cycle through to various harvest activities, whether it is the blueberry, broccoli, potato or apple harvest. Maine's State Monitor Advocate (SMA), the employment service operations and the community partners form an integral part in the assistance provided to farmworkers. This assistance includes job referral information, information regarding wage and hour deductions, information on housing standards, working conditions and issues of discrimination. They all respond in like fashion, centralizing service systems where the farmworkers live and work and where major crop/industries workforce needs exists.

During the agricultural season of 2011, the State Monitor Advocate was very active in the Blueberry Harvest, Broccoli Harvest, Apple Harvest, Potato Harvest and Poultry Industry Operations. The SMA conducted housing inspections, checks on field sanitation and employer outreach providing technical assistance on housing standards.

The chart below shows the numbers of MSFWs that were provided with some level of services during the period of 2011. Career Centers throughout the State were the primary source for providing these services to the MSFWs population in Maine. Examples of these services include: registration to the Maine Job Bank (MJB), job referrals, job counseling and referrals to supportive services.

2011	Registered in MJB (self- identified)	Referred to Jobs	Provided services	Referred to Supportive services	Case management counseling	Received Job Development Contact	Contacted by SMA through outreach
Jan-	459	5	266	22	104	29	15
March							
April-	531	5	309	26	124	30	67
June							
July-	179	3	98	7	33	6	390
Sept							
Oct-	301	4	166	13	68	9	187
Dec							
Total	1470	17	839	68	329	74	659

The number of MSFWs remains steady from year to year. There has been a slight decrease in the number of blueberry rakers that come to Maine every year due to steady mechanization of the Blueberry Harvest. The broccoli harvest employed 330 workers last year and this year's numbers are 289. The same is true for the Apple

Harvest which had 108 workers last year and this year's number is 115. The employment of migrants at the egg farms remains around 320 workers just like last year. The Wreath making industry employed around 1800 workers last year and anticipates a slight increase for this year due to new contracts to produce more Christmas Wreaths. See table below.

Crop	# of workers 2011	Projected # of workers 2012	
Blueberries	475	475	
Broccoli	330	289	
Potatoes	4250	4250	
Apple Harvest	108	115	
Eggs Farms	320	320	
Wreath making	1800	1850	
Total	3058	3074	

The projected agricultural activity for the coming year should closely match the numbers recorded during the year 2011. The number of MSFWs and harvest activity remains fairly steady in the State of Maine. This is due to the fact that the agricultural activity in Maine is not growing or decreasing since the number of agricultural employers has remained steady in the last decade. The only factor in this equation is the mechanization of the Blueberry industry, but this industry has reached most of its goals in the mechanization process

Eastern Maine Development Corporation (EMDC), the National Farmworkers Jobs Program (NFJP) operator in Maine (WIA Section 167), was awarded Program Year 2011 resources to help address the myriad of critical issues faced by farmworkers and their families. NFJP served 279 MSFWs during 2011. The NFJP is a program funded through the Employment and Training Administration of the U. S. Department of Labor which provides eligible migrant and seasonal farmworkers and their dependents with workforce development services and assistance with training. Among the key concerns are the lack of education, poverty, unstable employment, access to housing, transportation and healthcare and limited English proficiency that impact farmworkers throughout the country. Training includes basic skills/GED, approved trades school, Onthe-Job Training or Community College. Anyone who, within the last 2 years, has earned more than 50% of their income from agriculture labor is encouraged to apply. Dependents of farmworkers can also be eligible.

#### **Outreach Activities**

The State Monitor Advocate is the major resource in helping and tracking MSFWs throughout the state. Maine's Monitor Advocate speaks English and Spanish and is responsible for coordinating outreach activities in the communities where MSFWs

reside while working. The Monitor Advocate meets with farmworker groups and employers to promote CareerCenter services and is active on committees that help the MSFW population. The Monitor Advocate has direct access to the Commissioner of Labor if serious issues arise.

Maine has in place an 800 phone line to answer questions and concerns from the MSFW population. The SMA answers this phone line 24 hours a day, 7 days a week including holidays, to provide information on employment services, job referrals, answer questions on payrolls, questions about pesticide exposure, as well as information on other services such as health issues, housing, training for other jobs, how to obtain information on educational opportunities and referral to legal assistance programs.

Some of the "tools" commonly used in the course of outreach are business cards, plastic cards with the hotline number, brochures with directions to labor camps, agricultural employers in Maine, and a list of CareerCenter addresses and telephone numbers. A booklet published by the Wage and Hour Division of USDOL, in English and Spanish, explaining issues with wages, Family and Medical Leave Act, lie detector tests, agricultural employment and immigration is also made available to the workers and their families. In addition, the SMA distributes the following publications:

- A calendar in Spanish where the workers can record arrival and departure times at the work site, food breaks, etc.
- A plastic card which contains the 1-888-307-9800 toll free number for MSFWs which is answered 24/7.
- A resource directory which identifies the service providers and other services in the different harvest areas.

The SMA estimates that nearly 100% of his time during the blueberry harvest and peak broccoli season is taken up with field visits. The table below shows the SMA's schedule for field visits during PY 12 and the number of MSFWs estimated to be contacted.

#### **SMA Field Visit Schedule**

	July to September	October to December	January to March	April to June	Total
Field Checks	35	28	0	15	78
Estimated Number of MSFWs contacted	975	375	0	75	1425

The number of MSFWs to be contacted next year by W-P staff is expected to be around 1425 workers. These contacts occur during outreach and field checks done by the SMA. Field checks consists in random unannounced visits by the SMA to the labor camps and work areas where MSFWs may be present. Issues that the SMA looks for are among

others: working conditions, the proper display of mandatory/informational posters, wage and hour issues, housing standards, water quality, etc. The records kept of daily contacts with MSFWs include worksites visited, location, name of person in charge at time of visit, observations made, available services discussed with MSFWs, number of MSFWs contacted, names of MSFWs requesting services, and follow-up arrangements established. A copy of the field report will be filed with local office manager and the central offices of the BES.

EMDC and the NFJP operate a Raker's Center from the end of July until mid-August. Located next to the town hall in Columbia, Maine, the Center provides blueberry field workers (rakers) with gas vouchers, emergency auto repair, emergency lodging, tents, clothing and personal care items, job search services, and referrals to social services. EMDC and NFJP partner with the Maine Migrant Health Program (<a href="www.mainemigranthealth.org">www.mainemigranthealth.org</a>), Pine Tree Legal Assistance, (<a href="www.ptla.org">www.ptla.org</a>), Maine DHHS SNAP, Downeast Health Services WIC program (<a href="www.downeasthealth.org">www.downeasthealth.org</a>), and Syntiro's High School Equivalency Program (<a href="www.syntiro.org">www.syntiro.org</a>) to offer a wide array of educational, occupational, health, and social supports to the migrant farmworkers in the Maine blueberry industry.

### Services Provided to MSFWs through the CareerCenters

One of the roles of the Monitor Advocate and the WIA 167 grantee is to make job opportunities available to workers. In addition to field visits, the SMA monitors local CareerCenter offices for compliance with regulations in serving MSFWs. The table below shows the Monitor Advocate's schedule for monitoring local offices during PY12.

SMA Local Office Monitoring Schedule				
ES Office	Monitoring Timeframe			
Presque Isle	June-July			
Calais	August			
Machias	August			
Bangor	August			
Skowhegan	September			
Wilton	September			
Rockland	May			
Brunswick	May			
Portland	July			
Augusta	June			
Lewiston	September-October			
Springvale	April-May			
Norway	September			

The Bureau of Employment Services has a system in place for retrieval of complaints that are filed locally and at the Central Office. The BES informs the State Monitor Advocate of its record keeping procedure. The State Monitor Advocate reviews the methodology for compliance and makes suggestions for changes.

BES Central Office keeps records of all complaints filed, correspondence between parties, and notes from all investigations for a period of three years. The SMA will monitor these files quarterly to assure compliance, appropriate complaint resolution, and adherence to customer satisfaction principles. A report of the results of Central Office monitoring will be sent to the Director of the BES

One of the best examples of how core, intensive and training services required under WIA Title I are provided to MSFWs in the One-Stop delivery system is the series of workshops that Career Center Counselor Eduardo Cortes provides to the Spanish speaking population in Maine. Mr. Cortes carries out outreach efforts to the Hispanic population by visiting churches, civic organizations (e.g., Centro Latino, Tengo Voz, etc.) and signing up clients to attend his workshop which he holds one a month. The workshop provides information on how to apply for a job, how to prepare a resume, and coaches the clients in dos and don'ts of the job application process. Eduardo also offers technical assistance to clients that are not skilled in the use of computers. Eduardo travels to different Career Centers (Machias, Lewiston, etc.) to offer his workshops at these locations. One of the goals is to have Eduardo offer these workshops to all of the Career Centers in Maine.

#### Services Provided to Agricultural Employers through the CareerCenters

CareerCenters will continue to help agricultural employers in obtaining workers to harvest their crops. U.S. workers must be given hiring priority for jobs. When an employer requests foreign workers through the H2-A or H2-B program, the Alien Certification Officer in the MDOL/BES follows procedures described below to advertise the job opening. The Maine Job Bank received 71 H-2A job orders for a total of 628 actual job openings in agriculture for the year ending June 30, 2011. The H-2A is governed under US DOL ETA 20 CFR Part 655 and Wage & Hour Division 29 CFR Part 501, Temporary Agricultural Employment of H-2A Aliens in the United States; Final Rule February 12, 2010. The H–2A non-immigrant worker visa program enables United States (U.S.) agricultural employers to employ foreign workers on a temporary basis to perform agricultural labor or services.

Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (INA or the Act), 8 U.S.C. 1101(a)(15)(H)(ii)(a); see also 8 U.S.C.1184(c)(1) and 1188. The INA authorizes the Secretary of the Department of Homeland Security (DHS) to permit employers to import foreign workers to perform temporary agricultural labor or services of a temporary or seasonal nature if the Secretary of the US DOL (Secretary) certifies that:

- There are not sufficient U.S. workers who are able, willing, and qualified, and who will be available at the time and place needed to perform the labor or services involved in the petition; and
- b. The employment of the alien in such labor or services will not adversely affect the wages and working conditions of workers in the United States similarly employed.

In Maine, the H-2A related job orders are administered through MDOL/BES. Job openings intended for H-2A labor certification program are entered on America's Job Bank through the Maine Job Bank (MJB). They can be seen by potential workers in all 50 states. The MJB H2A job order staff reviews H-2A job orders for accuracy and compliance with the H2A federal regulations before employers forward a request for foreign workers to the USDOL ETA Office of Foreign Labor Certification H-2A National Processing Center. The jobs are also entered into the Interstate Clearance System to Florida, Vermont and New Hampshire. These are supply states that often have workers who are willing to move to accept employment on a seasonal basis. The Interstate Clearance System is an agreement between states that have a shortage of workers and those States that have a surplus. The state with the shortage sends information on the job and what the employer is willing to provide in order to recruit workers. The surplus state informs local offices that have a surplus of agriculture workers of the job opportunities and see if any wish to relocate for the harvest season.

## a. Other Requirements

The State of Maine afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program (NFJP) grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the organizations listed above and allowed at least 30 days for review and comment. The State considered any comments received in formulating its final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan. In Maine, the NFJP grantee is the Eastern Maine Development Corporation (EMDC) based in Bangor. EMDC has executed a signed MOU with MDOL and the current Local Workforce Investment Boards for the purposes of establishing a framework for the creating and maintaining a cooperative working relationships between NFJP and the CareerCenter system. In an effort to more effectively coordinate services offered by the CareerCenter Partners and EMDC's NFJP, each mutually agree to the following:

- 1. Each partner will determine customer eligibility for those programs offered by them;
- 2. To perform initial assessment to determine customer service needs;

- 3. To refer the assessed customer to any of the appropriate CareerCenter partners through a formalized referral process.
- 4. To utilize the One Stop Operating System (OSOS) to assist with facilitating customer access to the appropriate partner and programs;
- To jointly develop customer individualized employment and training service plans, when a customer(s) can best be served by both the CareerCenter Service Provider and EMDC's NFJP;
- 6. To jointly monitor and exchange information to assure for ongoing coordination of services associated with joint provision of services to a customer according to their individualized employment and training plan;
- 7. To provide for exchange of information that will assist with ongoing planning for current and future services to be offered through programs administered by both CareerCenter Service Providers and EMDC's NFJP;
- 8. To provide a process for ongoing dialogue for the purpose of continued development of additional coordination efforts that will lead to improved customer service delivery;
- 9. To provide pamphlets and other informational materials about the CareerCenter partner's programs and will be made available to each partner for placement at each of their service sites.
- 10. To provide for the delivery of one partner's service through the other partner according to contractual agreement when it is determined that such arrangements would provide for enhanced customer 'access and outcomes and cost efficiencies;
- 11. To coordinate delivery of services through the exchange of information and customer referral processes with other identified affiliated CareerCenter Partners.
- 12. To provide cross training to each other's staff as to (a) programs and services offered, (b) eligibility requirements, (c) referral processes, and (d) coordination of efforts between the partners; and
- 13. To provide procedures that will insure the customer is aware of all applicable information about grievance procedures and pathways to include posted visible information informing the customers of their rights and responsibilities.

A notice inviting public comments on the state's Wagner-Peyser Agricultural Outreach Plan was posted on August 14, 2012 at

http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases&id=42 6123&v=MJCArticle

The comments received are contained in the Public Comments section of this plan, following the comments received on the WIA Strategic Plan and Waiver Request.

#### TRADE ADJUSTMENT ASSISTANCE

Trade Adjustment Assistance performs the following program functions:

1. Provides early intervention (e.g., Rapid Response) to worker groups on whose behalf a TAA petition has been filed. (WIA Sections 112(b)(17)(A)(ii), 134(a)(2)(A), 20 CFR 665.300-.340.)

Early intervention for workers laid off from businesses impacted by trade related events is delivered in Rapid Response (RR) sessions. These sessions are a coordinated effort across departments, agencies and programs.

- Rapid Response sessions respond to any statewide region affected by a
  mass layoff or plant closure as part of a "Jump Start" services team. The
  "Jump Start" team, made up of Rapid Response Representatives from all
  areas will identify, plan, coordinate, facilitate and/or implement initial
  transitional services and workshops for affected workers of any
  large/mass layoff or closure to essentially "Jump Start" services allowing
  CareerCenters time to implement regional strategic response plans.
- Rapid Response staff, during completion of a Plant Brief with an employer, asks if downsizing is due to trade issues. If yes, they are informed of the Trade petition process, provided forms and assistance in completion. If the company does not complete the petition, staff, when meeting with laid off workers, will review the process and assist with completion. If, at that time, the workers do not complete the trade petition but there is reason to believe this is a trade related event, RR staff will complete an online trade petition. If a trade petition has already been submitted, the RR/TAA state coordinator upon notification notifies the local RR staff to provide immediate Rapid Response services to all workers affected. Maine tries to provide onsite, customized Rapid Response services immediately upon all notification of layoffs.
- The Rapid Response Coordinator and local team work with individual CareerCenters to encourage development of a formal strategy for dealing with large layoffs. The primary goal is to assure CareerCenters will be prepared in advance to serve large numbers at once. These strategies also include the assistance of the full statewide Rapid Response team who will provide the initial workshop series and assessment services allowing CareerCenters to ramp up and ready staff to meet with affected workers to formulate reemployment plans. The goal is to provide enough up-front activity through the Jump Start process to enable a job counselor to guide development of an individual plan using data gathered from the initial assessments and workshops.
- To ensure and promote immediate next steps for all workers attending a Rapid Response the Information Session includes:

- Linkage to a series of workshops that will assist the worker with job search or career decision making goals
- Linkage to on-site or regional job fairs, service fairs, or community services specific to the needs of the worker group
- In consultation and negotiation with local areas, MDOL is responsible for developing components of statewide and local Rapid Response activities. They include: providing resources to deliver Rapid Response activities at the local level, developing budgets, structuring the Rapid Response process, coordinating the development of National Emergency Grant Applications and TAA petitions, negotiating alliance-based contracts that support Rapid Response capacity, and providing policy direction for rapid response delivery and its integration with TAA and WIA dislocated worker programs.
- MDOL provides staff development and training through a statewide Rapid Response Coordinator. Local rapid response staff is supervised locally on a daily basis and make initial and follow up contacts with employers, provide referral services to economic development agencies, document visits and communicate them to all appropriate local and State agencies, conduct reemployment orientations and workshops, and facilitate transition into training and job development activities offered by the local CareerCenter. At the time of Rapid Response sessions, most WIA providers are on site to provide service/enrollment information and next steps. Some WIA providers go on site in the case of early notification to provide WIA intake sessions prior to layoffs occurring.
- Regional Rapid Response representatives are responsible for coordinating all aspects of Rapid Response sessions and ensuing transitional services for the affected workers in their areas, however, the full team of representatives may be called upon to act as a statewide team and respond in partnership with any other local area or region that requires expanded assistance with Rapid Response and initial worker adjustment services.
- 2. Provides core and intensive services to TAA participants, as indicated in the encouragement of co-enrollment policies provided in TEGL 21-00. The description should provide detailed information on how assessments are utilized to identify participants' service needs, including whether participants need training according to the six criteria for TAA-approved training (20 CFR 617.21I, 617.22(a)).
  - Maine operates a comprehensive CareerCenter delivery system. All WIA, Wagner-Peyser, and related services are accessed via an integrated service delivery system. The integrated services strategy that is outlined in other sections of this Plan does incorporate the TAA program. In many locations, both Wagner-Peyser and WIA staff jointly deliver the TAA

- program. TAA resources are leveraged whenever possible with WIA Title I Dislocated Worker and National Emergency Grant resources.
- The level of coordination between WIA, Wagner-Peyser, TAA, and many community-based partners is unprecedented. Relative to most states, Maine is small enough in size and has, for the most part, been successful at confronting the challenges of building a truly integrated system. The primary organizations involved in CareerCenter development have developed productive professional relationships for initiating incremental change.
- Broad-based cross training has been taking place at most CareerCenters enabling all staff involved in plan development/management to understand and facilitate service plans that utilize TAA, NEG and/or WIA funding streams. Some Centers are currently working under an integration team model, whereby teams of staff are able to facilitate a broad array of services for any individual participants share such CareerCenter resources as:
  - To provide integrated intake;
  - To provide core services;
  - To provide customers access to all partner programs and activities;
  - To make intensive services accessible to adults and dislocated workers; and,
  - o To provide ITAs to adults and dislocated workers.
- Consistency in the assessment methods and tools utilized by both TAA and WIA case managers is apparent in the State of Maine CareerCenter system. Formal assessment such as CASAS ECS Series (Employment and Life Skills focused), O\*Net Online, as well as My Next Move are utilized by all case managers. Informal assessments also are conducted following a similar template across programs and local areas. The MDOL's WIA administration staff has been conducting statewide training sessions for all WIA case managers. To promote consistent program integration in case management requirements as well as document clear and concise ITAs' justification for training for all WIA/TAA customers, the TAA six criteria of training requirements has been imbedded in all the WIA case management training. These six criteria of training documentation requirements are reviewed for compliance at all statewide WIA monitoring events.
- 3. Has developed and managed resources (including electronic case management systems) to integrate data provided through different agencies administering benefits and services (TAA, Trade Readjustment Allowances, Unemployment Insurance, Employment Security, WIA, etc.) in order to ensure consistent program administration and fiscal integrity, as well as reliable fiscal and performance reporting. (May

alternatively be discussed in "operating systems and policies" section of Operating Plan.) (WIA Sections 112(b)(8)(A), (B).)

- All WIA/TAA information is located in one data base and shared by all CareerCenter staff. TRA/UI information is accessible through the One Stop data system with a direct, ongoing relationship with Unemployment Insurance and the special payments unit who administers TRA payments. Electronically information is downloaded on a daily basis to provide updated, continuous information to SPU staff who are making TRA/RTAA/ATAA and travel payments
- To facilitate the flow of information among the Labor Exchange and WIA partners, the MDOL has developed a One-Stop Operating System (OSOS), which is a statewide, computerized database that tracks the individuals served under WIA Title I and Wagner-Peyser. Data from TAA/TRA, WOTC and the Competitive Skills Scholarship programs (CSSP) are also included in OSOS.
- MDOL is in the development stages of a new Case Management system, OneFlow, which will facilitate the management of resources to integrate much more efficiently and accurately from the OSOS system the flow of information among all partners to ensure consistent program administration and fiscal integrity, as well as reliable fiscal and performance reporting. OneFlow is scheduled to go "live" by July 2013.

#### WIA WAIVER REQUESTS REQUIRING RE-APPROVAL

The State of Maine is seeking extensions of approval for the following waivers, previously submitted and now requiring re-approval:

Waiver Extensions for WIA PY2012 - PY2016

- Waiver of WIA, Section 189(i)(4)(b) (General waivers of statutory or regulatory requirements) and WIA Section 136(b) which provides that state performance measures for WIA shall consist of 17 specific core indicators of performance and customer satisfaction.
- Waiver of the provision at 20 CFR 663.530 that prescribes a time limit on the period of initial eligibility for training providers.
- Waiver to change the required 50% employer contribution for customized training under WIA 101 (8)(c) & (31)(B) to a contribution on a sliding scale, ranging from 10 to 50 percent, based on the guidance in TEGL 13-06 (Increased Use of Flexibility Provisions in WIA).
- Waiver of WIA 20 CFR 663.220(b) and 20 CFR 663.310.to permit local areas to use a portion of the local funds for incumbent worker training.

Please see Attachments 18, 19, 20, 21

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#### SECTION THREE: STATE OF MAINE WAIVER REQUEST

# To Permit the State Workforce Investment Board to Carry Out the Roles and Functions of a Local Workforce Investment Board

The Office of the Governor, in coordination with the State Workforce Investment Board (SWIB) and the Maine Department of Labor, submits this request for a waiver permitting the State Workforce Investment Board to assume the role of a Local Workforce Investment Board (LWIB).

The Governor is in the process of re-designating local workforce investment areas and intends to increase the number of local areas from the current four to eight. As part of this restructuring of Maine's workforce investment system, the Governor plans to have the SWIB assume the role and functions of an LWIB that would oversee all eight local areas. Originally, four local areas were designated to carry out activities related to the delivery of WIA funded services. Each local area operates under different policies and procedures, resulting in inconsistent service delivery from one area in the state to the next. For example, each local area has a different policy outlining the amount of support service funds a participant may receive and for what purposes those funds may be used. A participant may find that she is eligible for less or more support service funds, or may even find that she is no longer eligible for these funds at all, simply due to relocation to another part of the state which requires she visit a new One-Stop in a different area. Similarly, overall consistency in quality of services, interpretation of guidelines, hours of service, and other issues related to having four disparate LWIBs overseeing the services in their respective local areas has confused and frustrated our customers.

Under the proposal to have the SWIB also function as an LWIB, Maine will be able to dramatically decrease the WIA administrative dollars used to support four LWIBs and to apply those saved dollars to training assistance for participants.

The plan to expand the number of local areas includes formalizing a relationship with local Chambers of Commerce through Maine's existing eight Chamber of Commerce Regions. This relationship, reflected in the Five Year WIA Strategic Plan, will allow thousands of local businesses to provide input directly to the SWIB without needing to filter these communications through an LWIB. It will also allow the SWIB to communicate more directly with those businesses.

The Five Year WIA Strategic Plan we are submitting will reflect the new eight local areas. With the approval of this waiver, the SWIB will function as the LWIB for these eight areas, including all the functions of a local board as required under 20 CFR §661.305.

In alignment with the Governor's direction to the SWIB, the Board moved to adopt the Strategic Plan as presented with the inclusion of a provision to have the SWIB carry out

the role and functions of an LWIB for all eight workforce investment areas and include in the Strategic Plan a provision to apply for a waiver to apply 20 CFR §661.300(f) which permits a state board to carry out the roles of a local board in a single local area, to a statewide regional planning area.

Date: September 5, 2012

State: Maine

Agency: Office of the Governor

## Statutory and/or regulatory requirements to be waived

20 CFR § 661.300(f)

Workforce Investment Act Public Law

#### Actions undertaken to remove state or local barriers

On four separate occasions, December 13, 2011, January 27, 2012, March 3, 2012, and April 6, 2012, the Governor and his designees consulted with the State Workforce Investment Board on the subject of having the SWIB carry out the roles and functions of an LWIB. On the first two occasions, comments were solicited and recorded from both the SWIB members and guests who were present.

The Governor met with the Directors of the Local Workforce Investment Boards on October 6, 2011 to discuss the status of the workforce development system and its performance. The Governor asked the LWIB Directors to work with his staff to formulate a plan that increases available funds for training, and make the systems activities more relevant to the business community. Two follow-up meetings were scheduled but ultimately cancelled due to the LWIB Directors having scheduling conflicts.

The Governor met with the Chief Local Elected Officials on February 7, 2012, to consult with them regarding having the SWIB carry out the roles and functions of an LWIB.

<u>Documentation of the Governor's Consultation with the State Board and Chief Local</u>
<u>Elected Officials and Other Stakeholders</u>

The current Workforce Investment System was designed in the late 1990s and is in desperate need of modernization. Using the benefit of over a dozen years of experience operating the system, Governor LePage is interested in reenergizing the workforce development system in Maine

The Workforce Investment Act requires that the Governor utilize a threefold collaborative process:

- 1. The Governor must consult with the SWIB Governor LePage and/or his designee, John Butera, Senior Policy Advisor for Workforce and Economic Development, met with the State Workforce Investment Board on four occasions to discuss the administration's vision for workforce and economic development in Maine. The Governor has highlighted key points to consider: a revitalized State Workforce Investment Board that is demand driven, a restructured workforce development system that is more relevant and responsive to private sector job creators, and performance measures that speak to Maine's workforce goals and guide the outcomes of the system. The Governor also stressed the importance of integrating education programs with the activity of the workforce development system. The Governor charged the SWIB with developing a new strategic plan that speaks to his vision.
- 2. <u>The Governor must consult with the Chief Local Elected Officials</u> Governor LePage met with the Chief Local Elected Officials that represent the current four Local Workforce Investment Areas concerning the re-designation of the Areas.

At the meeting, the Governor expressed his objective of maximizing the return on investment for participants and taxpayers. He spoke about his goal of having more funding available for actual occupational training to address the skills mismatch he has heard about over and over from Maine's employers, and to have more private sector input to the workforce system. As such the Governor wants to increase from four to eight Local Areas that align with the existing Chamber of Commerce Regions. This will allow all stakeholders greater access and opportunity to attend meeting, and to have more locally focused conversations regarding the regions' training needs. Chambers are natural business intermediaries that connect and communicate with the business community on a daily basis. Each region has multiple Chambers that can work collaboratively to the benefit of the region. This design allows for Chambers of various sizes and capacities to participate at that regional level and will engage more business in workforce development activity.

As a follow up, members of the Governor's team asked for time on the CLEO's monthly meeting agenda to discuss the Plan. The County Commissioners Association afforded just eight (8) minutes on the agenda to present the Plan. The Chair of the meeting then allowed two (2) minutes of questions. Clearly, the group did not have enough time to hear the plan, but had already formed a position based on misinformation from other sources.

The Governor also met with the Local Workforce Investment Board Directors, and asked them to work with his staff to develop a new strategy to utilize more of the funding for Training (On The Job Training, Tuition Assistance, and Customized Training) for Maine citizens. Multiple follow-up meetings were scheduled with the LWIBs, which ultimately

did not occur, due to Local Board Director schedule conflicts. Needless to say the Governor was disappointed at the lack of urgency and response communicated by the LWIB Directors.

3. The Governor must take into account the comments received regarding the modified WIA State Strategic Plan From August 18, 2012 to September 2, 2012, the SWIB accepted public comments regarding the new Plan. The public was notified of the comment period by e-mail announcements to interested parties as well as posting on the old Maine Jobs Council website and the new State Workforce Investment Board website. The Governor received and considered all public comments submitted during the 8/18/12 to 9/2/12 comment period. (See the section on Public Comments for a summary of the consideration of the public comments.)

WIA State Strategic Plan Development Process - The Governor and/or his staff attended SWIB meetings to inform the members about his vision for workforce development in Maine. The SWIB membership engaged in discussions about the Governor's plan at four full Board meetings. Members' and guests' questions, comments and concerns were recorded and provided to the Governor's office.

At the April 6 meeting, SWIB members were asked to volunteer to be part of one of three SWIB workgroups. One group worked to revise the Maine Jobs Council By-Laws to reflect the needed changes from LD1874. Another group worked to develop measures that are meaningful to Maine's workforce development goals and will guide the performance of the new system. The third workgroup was asked to help develop the WIA State Plan. Fifteen SWIB members volunteered to be part of the State Plan workgroup which was staffed by the SWIB Director. The workgroup met, either in person or by Polycom (interactive television), every other Wednesday afternoon, from April to July. (Attachment 3 shows the workgroup meeting schedule) Attendance was excellent, and the discussions at each meeting were focused and informative regarding the plan.

The SWIB also solicited input from the new Chamber of Commerce regions across the state. During the months of July and August, the SWIB Director, along with the Deputy Commissioner of Labor, met with the leadership teams in each of the eight regions. Attending the meetings were the Chamber of Commerce Executive Directors, Department of Economic & Community Development (DECD) Governor's Account Executives, Local Economic Development organizations, Municipal Officials, Career Center Managers, and Service Provider leadership. The goal of the sessions was to provide information related to the Governor's Plan and answer any questions that the Chamber Executives have, as well as to capture ideas, comments, and concerns.

The completed Draft Plan was presented for the full SWIB's approval at the August 17,

2012 SWIB meeting. The SWIB voted seventeen (17) in favor, four (4) against, and one (1) recusal, to approve the plan and recommend it's submission by the Governor to the Employment and Training Administration (ETA).

The plan was posted on both the Maine Jobs Council website (maine.gov/labor/mjc/index) as well as the new State Workforce Investment Board website (maine.gov/swib) for a sixteen day public comment period. All of the comments received will be collected and forwarded to the Governor's office for his review, as well as included in the plan submission to the ETA.

### Resources will be distributed in a fair and equitable way

Since 2000 MDOL and the State Workforce Investment Board have allocated WIA funds to the Local Areas using the same formula provisions defined in the ETA TEGL 19-11, Attachment A as follows:

#### a. Allocation formulas

#### I. Adult and Youth Training Funds

#### 1. Adult Funds

Of the total amount of funds allocated for Adult Training under WIA §132(b)(1), the State will reserve 5% for statewide activities including administration as permitted by WIA §128(a). The remaining amount will be distributed to local areas according to WIA §133(b)(2)(A):

- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the <u>relative number of unemployed individuals residing in</u> <u>areas of substantial unemployment</u> in each local area as compared to the total number of such unemployed individuals in the State.
- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the <u>relative excess number of unemployed individuals</u> who reside in each local area as compared to the total number of such unemployed individuals in the State. "Excess number" means the number of unemployed individuals in excess of 4.5% of the civilian labor force.
- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the <u>relative number of disadvantaged adults</u> compared to the total number of disadvantaged adults in the State.

The State will not employ the discretionary option described in WIA §133(b)(3).

Data for the first two requirements will be produced by MDOL's Center for Workforce Research and Information. Data for the third element will be provided by the Employment and Training Administration (ETA) from census data.

The State will employ the discretion given by the Secretary of Labor to utilize the "hold harmless" clause:

MINIMUM PERCENTAGE--No service delivery area within any State shall be allocated an amount equal to less than 90 percent of the average of its allocation percentage for the two preceding fiscal years preceding the fiscal year for which such determination is made. If the amounts appropriated pursuant to section 3(a)(1) for a fiscal year and available to carry out this part are not sufficient to provide an amount equal to at least 90 percent of such allocation percentage to each such area, the amounts allocated to each area shall be ratably reduced.

#### 2) Youth Funds

Of the total amount of funds allocated for Youth training under WIA §127(b)(1), the State will reserve 5% for statewide activities including administration as permitted by WIA §128(a). The remaining amount will be distributed to local areas according to WIA §128(b)(2)(A):

- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of unemployed individuals residing in areas of substantial unemployment in each local area as compared to the total number of such unemployed individuals in the State.
- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative excess number of unemployed individuals who reside in each local area as compared to the total number of such unemployed individuals in the State. "Excess number" means the number of unemployed individuals in excess of 4.5% of the civilian labor force.
- 33 1/3 percent of the federal allotment to Maine is allocated to local areas based on the relative number of disadvantaged youth compared to the total number of disadvantaged youth in the State.

The State will not employ the discretionary option described in WIA §128(b)(3).

Data for the first two requirements will be produced by MDOL's Center for Workforce Research and Information. Data for the third element will be

provided by the Employment and Training Administration (ETA) from census data.

The State will employ the discretion given by the Secretary of Labor to utilize the "hold harmless" clause described above.

### **II.** Dislocated Worker Training Funds

Of the total amount of funds allocated for Dislocated Worker training under WIA §132(b)(2), the State will reserve 25% for statewide rapid response activities as permitted by WIA §133(a)(2) and will reserve 5% for statewide activities including administration as permitted by WIA §128(a).

The remaining amount will be distributed to local areas according to WIA §133(b)(2)(B). The following four data elements will be used to calculate allocation percentages:

- Insured unemployment. The average weekly number of continued unemployment insurance program claims (less partials) during the previous full year for which data is available for each county is aggregated by local area and divided by the total to arrive at a percentage for each local area.
- Unemployment concentrations. The annual average of unemployment for each county during the previous full year for which data is available is aggregated by local area and divided by the total to arrive at a percentage for each local area.
- Declining industries data. The number of jobs lost between the previous full year for which data is available and the year five years previous to that year in both durable and non durable goods manufacturing by county is aggregated by local area and divided by the total to arrive at a percentage for each local area.
- Long-term unemployment data. The number of unemployment insurance program exhaustees during the previous full year for which data is available for each county is aggregated by local area and divided by the total to arrive at a percentage for each local area.

Data for these elements will be produced by MDOL's Center for Workforce Information Services. Each of the above elements is weighted equally.

The remaining factors named in §133(b)(2)(B)(ii), "plant closing and mass layoff data" and "farmer-rancher economic hardship data" have not been proven to be useful for the distribution of funds to areas of need in Maine. Large plant closings have occurred in all Maine counties, but are not a predictor of the

location of future large plant closings. In addition, although ten years ago there were many farmers in certain areas of the state who were leaving agriculture, in the years since, there has been no wholesale dislocations which would require more attention to this occupation than others.

#### b. Allocation Distribution:

MDOL will reserve 5% of the Adult, Youth, and Dislocated Worker. The 5% allowable for administration will be utilized on an ongoing basis for mandated state administrative tasks including: the establishment and maintenance of a list of eligible training providers; conducting oversight and monitoring of local programs in coordination with the SWIB and USDOL, providing technical assistance; establishing and maintaining fiscal and management accountability information systems. Historically, MDOL has executed WIA contracts with the Local Workforce Investment Boards who in turn develop contracts with local service providers. As the SWIB moves forward with redisignation of four Local Areas to eight Regional Chamber of Commerce districts, MDOL's Bureau of Employment Services will assume the responsibility for developing WIA contracts with the five existing service provders:

- Goodwill Industries of Northern New England (York, Cumberland, Sagadahoc, Lincoln, Knox and Waldo Counties)
- Western Maine Community Action (Androscoggin, Oxford and Franklin Counties)
- Maine Department of Labor, Bureau of Employment Services Direct Delivery Operations (Kennebec, Somerset and Washington Counties)
- Eastern Maine Development Corporation (Penobscot, Piscataquis and Hancock Counties)
- Aroostook County Action Program (Aroostook County)

The following chart provides a summary of the Program Year 2012 WIA Formula Distribution by county. The methodology used to distribute funds to the counties *does not change* under the new structure.

# **Local Area Distribution**

	Youth	Adult	TOTALS	
	PY2012	PY2012	PY2012	PY2012
10% Admin:				
Aroostook	20,769	20,380	15,784	56,933
Washington	12,978	12,853	7,426	33,257
	33,747	33,233	23,210	90,190
90% Program Funds:				
Aroostook	186,925	183,419	142,057	512,401
Washington	116,798	115,675	66,834	299,307
	303,722	299,094	208,891	811,708
Total	337,469	332,327	232,101	901,898
10% Admin:				
Hancock	12,179	11,652	13,551	37,382
Penobscot	36,661	31,272	27,484	95,417
Piscataquis	5,252	5,226	4,011	14,489
	54,092	48,151	45,046	147,288
90% Program Funds:				
Hancock	109,608	104,868	121,962	336,438
Penobscot	329,947	281,449	247,360	858,756
Piscataquis	47,267	47,033	36,098	130,398
	486,822	433,349	405,420	1,325,592
Total	540,914	481,500	450,466	1,472,880
10% Admin:				
Androscoggin	21,762	19,796	23,335	64,893
Franklin	9,549	8,609	6,361	24,519
Kennebec	20,984	20,018	15,622	56,624
Oxford	13,608	13,765	14,452	41,825
Somerset	16,802	16,481	12,429	45,712
	82,705	78,669	72,200	233,573
90% Program Funds:				
Androscoggin	195,860	178,165	210,016	584,041
Franklin	85,945	77,483	57,253	220,681
Kennebec	188,854	180,165	140,600	509,619
Oxford	122,468	123,882	130,066	376,416
Somerset	151,218	148,328	111,861	411,407
	744,345	708,023	649,797	2,102,164
	827,050	786,692	721,997	2,335,737
10% Admin:				
Cumberland	38,192	33,422	37,811	109,425
Knox	6,021	6,816	5,853	18,690
Lincoln	5,035	5,112	4,440	14,587
Sagadahoc	4,390	4,632	4,011 13,033	
Waldo	7,936	8,114	5,658	21,708
York	28,588	28,906	32,334	89,828
	90,161	87,002	90,107	267,270

90% Program Funds:	1			
Cumberland	343,724	300,800	340,303	984,827
Knox	54,177	61,346	52,678	168,201
Lincoln	45,316	46,005	39,963	131,284
Sagadahoc	39,511	41,685	36,097	117,293
Waldo	71,425	73,029	50,918	195,372
York	257,295	260,150	291,003	808,448
	811,448	783,015	810,962	2,405,425
Total	901,608	870,017	901,069	2,672,694
<b>Total Distribution</b>	\$2,607,042	\$2,470,535	\$2,305,632	\$7,383,206

### Compelling reason for the proposed governance structure;

A recent Federal Compliance Review uncovered troubling financial activity at two of Maine's four Local Workforce Investment Boards. One LWIB had purchased a Recreational Vehicle/Camper for personal use, and the other had a long list of fiscal non-compliance issues that resulted in both LWIBs being placed in "High Risk Grantee Status".

Program performance results for Program Year 2010 revealed that statewide, the four LWIBs expended just 15.5 % of the WIA Adult and Dislocated Worker funds on Training (Tuition Assistance, On The Job Training, Customized Training and related Support Services). One LWIB had spent just 8.7 % of the funding on Training.

Procurement practices of the LWIBs have been questioned. Federal monitoring discovered that all four areas had given out contracts without the required Request for Proposals (RFP) or Sole Source Justification, which means the costs were ultimately disallowed. There are also questions about a Service Provider RFP that was awarded to an applicant, then withdrawn from that applicant, and given to the in house organization that provides fiscal services to the LWIB.

#### Statewide Discretionary Grants: Lessons Learned

The Maine Department of Labor has been provided a unique opportunity to examine the authentic ability of the local boards to conduct oversight of, provide guidance on, and implement programs in accordance with the WIA and supporting federal laws. The assumption that Local Workforce Investment Boards are aware of and understand the Act and related requirements and laws has come into serious doubt as a result of fiscal and program monitoring of their roles as sub-recipients of statewide discretionary grants received by the Maine Department of Labor.

Monitoring and extensive and repeated technical assistance to the local areas regarding WIA and USDOL grant requirements has made it apparent that the level of competency of the Local Boards to safeguard appropriate use of funding and ensure basic

implementation of WIA regulated programs is questionable and in some instances gravely deficient.

The cost-to-value ratio for the level and quality of services furnished by local areas on discretionary grants is also lacking as a result of high board-related costs associated with: second and third tier redundant administrative functions, lavish office space; ever expanding board staff levels; development of alternate regional job banks; creation of luxurious marketing brochures and videos extolling the merits of the workforce board, lavish staff travel and meal reimbursements, and other abuses including the purchase of a camper for private use. At the same time CareerCenters, the public service access points, were being consolidated from 23 to 12 sites and knowledgeable frontline service staff laid off.

#### **Cost vs. Value WIRED experience:**

MDOL has received a number of discretionary grants over the years from smaller planning grants (BRAC \$1 million) to the vastly comprehensive grants (WIRED \$15 million) to the recent \$4.8 million Health Care Sector grant. In keeping with informal policy, Maine has traditionally contracted workforce services on behalf of discretionary statewide grants through the LWIBs. The WIRED grant involved private industry at a level never before seen in Maine. Immediately, private industry balked at giving training funds to layer upon layer of administration and initially refused to entertain using LWIBs as subcontractors for services. A key leader in the WIRED grant had been a member of the Coastal Counties Workforce Board for some years and stated he had no idea what the board's purpose or value was. Despite objection,s the LWIBs were utilized for the purposes of workforce development outreach only. The full gamut of workforce related activity, training and service contracts would fall directly under the Maine Department of Labor (MDOL). The MDOL, one of three state agencies involved in administering the grant, had oversight of \$6.4 million of the WIRED grant funds. During the grant period, the MDOL administered over 270 customized training contracts, 30 on the job training contracts, 87 service contracts and 136 educational ITA's that trained 2008 participants. The LWIBs were charged with disseminating \$30,000 to regional CareerCenters to promote registered apprenticeship. The Chart below shows how WIRED funds were distributed to the LWIBS.

WIRED GRANT	Staff / Overhead	Indirect	Total	Contracts Administered
LOCAL AREA 1	\$197,571.00	\$30,277.00	\$227,848.00	\$30,000.00
LOCAL AREA 2	\$211,175.00	\$103,325.00	\$314,500.00	\$30,000.00
LOCAL AREA 3	\$169,950.00	\$31,898.00	\$201,848.00	\$30,000.00
LOCAL AREA 4	\$119,200.00	\$37,648.00	\$156,848.00	\$30,000.00
			\$901,044.00	\$120,000.00
MDOL	\$320,000.00	\$40,000.00	\$360,000.00	\$4,933,365.00

Local Area One and Local Area Four did not register a single apprentice over the grant period and Local Area Three registered only a few. While Local Area Two did register apprentices, they generated fewer industry applications than any other region and Local Area Four was unable to fulfill the contract because of staff turnover and their inability to retrain staff in any of the WIRED program requirements; their contract was reduced and terminated before the grant ended. The MDOL provided the majority of work required by the workforce development portion of the grant, including extensive training of LWIB staff, all at a minute fraction of the cost of engaging the LWIBs for the sole purpose of outreach.

Local Area Two received two additional subcontracts, one to initiate a Marine Systems Training Center that would be utilized for mechanical repair of boats. The funds were spent with little to no action taking place, eventually the center was taken over fully by the Maine Marine Trades Association who expanded class offerings there by 80% and reduced overhead costs by 50%.

The second contract was provided to Local Area two to integrate workforce development with economic development in the local region. The contract required that staff be trained to work with other workforce development program staff (Wagner Peyser, TAA, Competitive Skills Scholarship Program, Apprenticeship, Discretionary Grants, etc.) to meet the needs of industry and workers. \$165,000 was dedicated to this cause with little integration beyond the WIA and Economic Development staff that worked solely under EMDC. Progress reports were unable to cite any cross-program, or cross-agency funded projects.

#### **Cost vs. Value Health Care Sector experience:**

Because two of the LWIBs had significant involvement in writing the Health Care (HC) Sector grant, MDOL grant management staff agreed to subcontract the work of this grant to them. The level of pushback from these partners at every stage of this grant has been deleterious. In order to meet ARRA requirements, the MDOL justified the LWIBs as sole source contractors based on their presumed knowledge of WIA and ARRA law and requirements.

MDOL engaged in contracts with each of the local areas based on the service projections they had entered into the original HC grant proposal. The LWIBs insisted that because they were second tier recipients that all of the funding going to them be considered "Program" funding for the purposes of exceeding the 10% cap on administrative costs. This was confirmed by USDOL. However, in Local Area Four it became clear that services were subcontracted to the regional service provider and that the majority of the work was to fall on them:

Cost for Local Area Four cost HC Grant services: Board Staff & Overhead-\$211,675 Board Indirect-\$93,015

Subcontracted to Service Provider: Staff & Overhead-\$0, Indirect-\$78,127, Participant training dollars-\$859,400. Local Area 4 requested an early termination of their contract after turnover of two key staff members (the second statewide discretionary grant contract they were unable to complete). They terminated their contract with only eight months remaining and a balance of \$634,000 in participant services dollars left unspent.

# Consistent evidence LWIBs lack understanding of basic WIA requirements, laws, rules, policies:

Despite extensive staff training and development provided by MDOL grant management staff to LWIB staff regarding implementation of the Health Care Sector grant contracts, they consistently failed to effect grant and project-related policies and requirements, with the exception of Local Area two whose lead staff person has been with the workforce development system for over 20 years.

Monitoring uncovered a significant number of findings in each of the other three areas. Findings related to requirements of the MDOL contract, basic WIA compliance, and OMB requirements regarding spending. There was considerable resistance from both Local Area Four and Local Area One to comply with contract requirements and policy. Because ARRA requires that all subcontracted services go through proper procurement processes, we required that the Local Areas provide a sole source justification for subcontracts that weren't engaged as a result of RFP. Local Area Four questioned our request to provide sole source justification for subcontracting services to their traditional service provider. In the end, MDOL had to create the justification for them to review and approve. In two other local areas, it was clear they had never engaged in workforce development service or training contracts. In reviewing subcontracts they submitted for our approval they had merely copied an MDOL formula contract without removing any reference to the MDOL and inserted their name at the header. Local Area One, continued to make this error even after this was pointed out to them.

In Local Area One, blatant refusal to comply with compliance requirements persist one year after the monitoring; local area travel costs were flagged as an issue in March 2011, and cited again during formal monitoring in August 2011, and still have not been resolved one year later despite numerous written, face to face and phone interactions, including interactions with the federal contract officer. Recent review of their revised travel policy still condones the expenditure of funds for business meals despite the fact that over 69% of their funding is from federal sources and the majority of that is from USDOL.

There are numerous infractions and egregious errors of unallowable spending, undocumented trainee files, and refusal to provide reports that we have uncovered through program monitoring and review. More information is available upon request.

WIA formula monitoring has passed muster over the years only because WIA staff at the service provider level know the law and are able to assure that it is met at their level for WIA formula programs. It appears that little, if any, guidance is provided through the board staff in Local Areas One and Three, and that guidance provided by Local Area regarding the Health Care sector grant is incorrect.

#### Goals and expected programmatic outcomes of this waiver

The expected goals and outcomes of having the SWIB carry out the functions of an LWIB are:

#### Reduced overhead costs and increased program dollars

One of the primary reasons for moving to a SWIB-LWIB system is to reduce the administrative costs and shift those costs to training for participants. Increased training funds will allow a broader range of training options for participants as well as more individuals being able to receive training assistance. We will also have more funds available to leverage in partnerships, and will have more resources to help develop and nurture industry partnerships.

#### Greater responsiveness to employers and businesses

The SWIB-LWIB system will allow Maine to shift from funding administration for four LWIBs to a simpler, less expensive model of input through Chamber of Commerce regions. Maine has eight such regions, and they will become local workforce areas. The Chamber of Commerce Executives have agreed to function as facilitators and conveners of business input. A small portion of the administrative dollars saved will be available to the Chambers to cover expenses incurred to provide business input to the SWIB. Chambers will not become contractors, nor will administrative overhead be funded for them. Because this new approach will not only afford them a greater opportunity to link their local communities to workforce development, it will provide them with an opportunity to recruit more members, thus strengthening their own market penetration and strengthen their local business environment.

The SWIB-LWIB system will increase the number of local areas from four to eight. Business input will be more targeted by region. The eight regions, which align with the eight Chamber of Commerce regions and the state's eight tourism regions, more closely mirror cohesive regional labor markets and economies than the present system. The eight regions are smaller in size and population and are more geographically and demographically logical. For example, currently, the Coastal Counties Workforce Investment area encompasses six counties that range from the most urban area of the state (Portland and Cumberland County) to one of the most rural counties in the state (Waldo County). In any given local workforce area, the larger cities in those areas dominate the services and the general workforce development conversation. While this

may be natural, it does not provide the level of consideration that all communities should be receiving.

Since the proposed eight regions are aligned with Maine's eight tourism regions, they reflect the importance that tourism plays in the state. Although the economy has markedly changed in the past two to three decades, natural resources still drive much of our economic activity, economic development, business startups, and regional workforce markets. Tourism crosses across industries and sectors, including hospitality, arts and recreation, transportation, health care, and retail services. Tourism growth results in increased construction and vehicle sales. Many small businesses, even some manufacturers, benefit from tourism. Local economies rely heavily on the multiplier effect of tourism dollars—grocery stores, discount stores, restaurants, hotels—not only directly benefit from the money spent by visitors, but the jobs attached to those businesses create income that is then spent by employees, along with payroll and income tax revenue resulting from the jobs directly and indirectly attached to tourism. Aligning workforce and economic development programs with tourism ensures that our workforce system aligns with a great number of employers, businesses, job seekers, and workers.

#### Strengthen administrative oversight and accountability processes

Under our plan to have the SWIB function as an LWIB overseeing eight workforce areas, the Maine Department of Labor Bureau of Employment Services (BES) would become the contract managing agency for all WIA funded service providers. This not only reduces overhead, but it consolidates contract management and would have BES perform program monitoring. Under the present system, the four existing LWIBs manage the contracts with the service providers in their local areas and they perform WIA program monitoring functions. Instead of having four entities conducting program monitoring and contract management, one agency would perform these oversight functions. Additionally, service providers would then become accountable to a public agency rather than a private organization that may not have the same level of required transparency and accountability to the public.

BES already reports directly to the USDOL and the SWIB on all WIA matters, including monitoring, compliance, and reporting. BES also has the responsibility of allocating WIA funds to LWIBs and managing those contracts. Under the proposed change, BES would switch its attention from managing four contracts, with the attendant financial and fiscal systems, to conducting those activities with service providers. Additionally, BES would have an increased role of accountability to the SWIB regarding the findings related to program and fiscal monitoring of service providers. BES also manages related workforce programs, such as Migrant and Seasonal Farm Workers and Apprenticeship. The proposed change would foster more program integration, bringing direct service providers organizationally closer to those programs as well as programs such as TAA and NEGs.

BES will continue to use the same allocation formula that USDOL uses to allocate fund to the state. We allocate funds using the formula to 16 counties and write contracts directly with the current service providers to distribute the funds and ensure that services continue.

As a bureau of the Maine DOL, BES is in intimate organizational and budgetary proximity to the Department's Center for Workforce Research and Information (CWRI). CWRI, as the state's labor market information service and labor research agency, would be working directly with the in-house operational functions of the SWIB/LWIB.

#### Improved quality of services

While overall customer satisfaction is not being questioned under the current four LWIB system, it is expected that the quality of services would improve under one LWIB and consolidated management and monitoring functions. Problems with customer service and the overall effectiveness of the services would be noted sooner and remedied more immediately. Under the current system, the SWIB may not become aware of service quality concerns until program monitoring occurs or quarterly reports are submitted. With BES as the monitoring watchdog, the SWIB will be informed in a timely fashion. Under a one LWIB system, best practices will be more quickly and uniformly disseminated to the service providers and workforce partners. Information on best practices will be better shared across a greater portion of the system, not only among the service providers and One-Stop CareerCenter managers, but to Chambers of Commerce, industry partners, and the Maine Departments of Education, Economic and Community Development, and Health and Human Services, all of whom are represented on the SWIB.

### Consistency in services and policies affecting services

Each local area operates under different policies and procedures, resulting in inconsistent service delivery from one area in the state to the next. For example, each local area has a different policy outlining the amount of support service funds a participant may receive and for what purposes those funds may be used. A participant may find that she is eligible for less or more support service funds, or may even find that she is no longer eligible for these funds at all, simply due to relocation to another part of the state which requires she visit a new One-Stop in a different area. Similarly, overall consistency in quality of services, interpretation of guidelines, hours of service, and other issues related to having four disparate LWIBs overseeing the services in their respective local areas will be more consistently provided under the new structure.

While every community is unique, there are benefits to having some work processes be consistent. The most obvious consistency relates to data collection, both program and financial. Currently, each of the four LWIBs applies its own approach to accounting. BES cannot use what is currently provided by the LWIBs to perform certain analyses that tie

program expenditures to participant demographics; for example, to analyze how training funds are used by females as opposed to males. A one LWIB system would provide consistent financial information with a greater ability to analyze trends and utilization by specific types of participants that includes corresponding fiscal activity. A one LWIB system under the SWIB would allow us to apply common terms and definitions so that the content and meaning of programs and services would be the same from one local area to the next.

Consistency among the local areas would also be applied to simple, but very important, customer service outcomes, such as front desk services; referrals between the WIA/Wagner-Peyser services, Vocational Rehabilitation services and other partner agencies; hours of service; waiting times for returned calls; and veteran preference practices.

A delineation of the distribution of the roles and responsibilities under the proposed reconfiguration can be found on page 127.

# Ensuring that the local interests of stakeholders will continue to be represented and engaged with the SWIB functioning as an LWIB

#### Geographic diversity across local areas

In terms of population, Maine is a small state. While we appear to be demographically homogeneous, the state is sharply delineated between urban and rural populations. These urban-rural delineations are present within local areas. Because of the large geographic area of the state, there are marked differences among the counties and their economies and labor markets. Agriculture and natural resources dominate in some regions, while financial institutions and the creative economy drive activity in other regions. Due to the remote nature of some parts of Maine, tourism, which is a major economic force across all industries, is not necessarily as dominant as in regions that are more accessible and traditionally popular. Only one of the current four LWIBs might be considered to NOT have an urban-rural dichotomy, with attendant dynamics between their respective economic and workforce bases. In some cases, they cover too broad a territory, resulting in local areas that, for better or worse, are dominated by the larger population areas within them. This results in uneven representation and access to services for some Mainers. Under the proposed change in governance, the SWIB, in concert with monitoring performed by the Bureau of Employment Services (please see "Partner Roles & Responsibilities In The Restructured Workforce Development System" on page 127 and as Attachment 4) will be overseeing workforce areas that are more internally consistent; rural areas will not be as overshadowed as they are now. Urban areas will be more focused on serving their more diverse job seeking populations and their generally much larger businesses without diluting their programming and resources to include smaller but vital rural markets. Conversely, rural areas will be able to utilize their resources with less sacrifice to larger urban programs.

#### Local businesses, including small businesses

As explained in the discussion of goals and expected outcomes, employers and businesses will see greater responsiveness from the workforce development system. The SWIB-LWIB system will allow Maine to shift from funding administration for four LWIBs to a simpler, less expensive model of input through Chamber of Commerce regions. The local Chambers will not be assuming the duties of an LWIB. They will be convening and facilitating employer input through their well-established, on-the-ground channels. They are ready to bring their local members and non-members to the workforce table. The Chambers see their role as connectors between businesses and the SWIB-LWIB as a value-added service to local businesses and an attractive recruitment tool to prospective Chamber members. Of particular note is that we have designed a "performance scorecard" (see Attachment 16 of the State WIA Plan 2012-2016) that will measure the Chambers penetration into their local business community as an indicator of the depth and increase in business input and participation in the workforce system.

#### Vulnerable populations

In Maine, vulnerable populations are generally well-served. We have a particular interest in ensuring that older workers, people with disabilities, veterans, immigrants and refugees, youth (particularly youth with barriers to employment), low and moderate income individuals, and recipients of public assistance continue to receive the specialized programming and services offered now. To this end, we do not intend to change service providers. Regardless of the designation of local areas or the governance structure in our system, we plan to retain the current service providers. In addition, the Program Policy Committee of the SWIB-LWIB, which has representatives of all the required partners and programs listed in the Workforce Investment Act, Title I, subtitle B, chapter 3, section 121:

- WIA Title I Peter Pare, Bureau of Employment Services (BES), Maine DOL
- Wagner-Peyser Peter Pare, BES
- Adult Education Gail Senese, Department of Education
- Vocational Rehabilitation Carolyn Lockwood, Bureau of Rehabilitation Services
- TANF/Food Stamps Liz Ray, Maine DHHS
- Senior Community Service Employment Program Dan Muth, Maine Able Network
- Carl Perkins Vocational Education Barbara Woodlee, Maine Community College System
- Community Development Block Grant Activities Deb Neuman, Dept of Economic and Community Development
- Community Services Block Grant Activities Yvonne Mickles, Maine DHHS
- Trade Adjustment Act Peter Pare, BES
- Veterans Peter Pare, BES

- Housing and Urban Development William Burney, US Housing and Urban Development Bangor
- Unemployment Insurance Laura Boyett, Bureau of Unemployment Compensation, Maine DOL
- University of Maine System Renee Kelly, University of Maine, Orono
- Career & Technical Education Margaret Harvey, CTE, Maine Dept of Education

The SWIB membership includes Mel Clarrage with the Maine Disabilities Resource Center, who also serves as Chair of the Commission on Disability and Employment, Tracey Cooley with the Job Corps in Bangor, and Craig Larrabee of Jobs for Maine's Graduates.

Finally, the SWIB's standing committees are intended to provide representation of several vulnerable populations, and these committees are composed largely of constituents and service providers. In addition to the Program Policy Committee, those committees include:

Apprenticeship
Older Workers
Youth Transitions
Women's Employment Issues
Veterans' Employment
Commission on Disability and Employment

These committees bring the concerns of vulnerable populations to the full SWIB, and would continue to perform that function for the SWIB-LWIB.

#### <u>Women</u>

Due to the wage gap between men and women working in Maine, and more specifically, the gap in placement wages between male and female customers served by one stops, we view women as a "vulnerable population." In a series of annual reports on the status of Maine women in the workforce, the SWIB's Women's Employment Issues Committee recommended that our system improve the placement wages of female customers by increasing the number of women trained for, and placed in, non-traditional occupations. For several years, the LWIBs have been urged and encouraged to contract with Women Unlimited, an organization that trains and places women in non-traditional occupations, but the LWIBs have turned a blind eye to this partner. When ARRA funds were available and the SWIB (then called the Maine Jobs Council) attempted to approve a policy that 30% of the women served with ARRA funds be trained for employment in energy/energy efficiency, information technology, and health care, the LWIBs opposed the policy with an argument that this was an unfair and unreasonable "quota." The Bureau of Employment Services (BES), not the LWIBs, then contracted with Women Unlimited to provide on-site services to educate and assist female one stop customers in seeking higher paying, high demand occupations. Although only present in five one

stops, this program resulted in 19 women placed in nontraditional occupations during a one-year period. During the same program period, 30 women were placed in non-traditional occupations *statewide*. The Women Unlimited partnership accounted for nearly two-thirds of all the non-traditional placements in our system. It is highly unlikely that this would have been accomplished had BES not stepped in to better serve women.

### Local community-based organizations

As with vulnerable populations, the new governance structure will not alter our well-established partnerships with community based organizations. Through the existing partnerships between our service providers and community based organizations, their input and participation would continue as currently exists. The SWIB's standing committees include a large array of community based advocacy organizations and service providers, and they have input through their positions on those committees.

#### Education and training providers

The SWIB's Program Policy Committee (see list of members above) includes representatives of the Maine Community College System, the University of Maine System, the Career and Technical Education system, Adult Education, Vocational Rehabilitation Services, and TANF/Food Stamps.

Under Governor LePage, the Maine Community College System and the University of Maine System became active members of the SWIB for the first time.

Goodwill Industries of New England is a one stop service provider and will remain so under the proposed SWIB-LWIB governance structure. Goodwill's broad array of training programs, particularly for people with disabilities, brings added value to our workforce system.

#### Organized Labor

Two formal representatives of organized labor serve on the SWIB and would continue to do so under a SWIB-LWIB governance structure. One of those individuals represents a specific labor union, and the other is the President of the Maine AFL-CIO, insuring that all labor unions in Maine have a voice in the governance of our workforce development system. Under the proposed SWIB-LWIB structure, we will be able to better connect organized labor and the business community.

Four of the twelve members of the Apprenticeship Council (one of the SWIB's committees) are representatives of labor unions.

By reducing the number of LWIBs from four to one (the SWIB-LWIB), LWIB administrative funds will be repurposed to training, including support for apprenticeships.

#### One Stop Partners

Our current one stop partners will remain unchanged under the proposed SWIB-LWIB governance structure. Formal, contractual partnerships in place with LWIBs will be officially transferred to the SWIB-LWIB through contract amendments when needed, and through new contracts or memoranda of understanding. The current service providers will remain unchanged.

As cited in the discussion of Women Unlimited in the above paragraph on women, partners, who in some cases have been ignored or shut out by the current LWIBs, will now be included in more systemic arrangements.

#### Individuals impacted by the waiver

Program participants and customers will see no change in the number of One-Stop offices. They will see more consistency in services across the state and they should benefit from an anticipated increase in training dollars available, including support service funds. Individuals employed in the current local workforce investment boards may be impacted if this change results in any reduction in staff positions within that LWIB. Some of these staff may be able to take reassignments in an industry partnership configuration as our system transitions into being more "demand" driven and business services become more prominent.

Businesses/employers will also see an improved consistency in services and will now be assured that no matter where they are located, or how many branches, offices, and franchises they have across the state, they will be able to count on the same service from local area to local area. The expected reduction in administrative expenses under a SWIB-LWIB system will result in more funding for OJTs and worker training that will benefit employers.

<u>Transition costs associated with the state assuming the functions of the local board or boards</u>

Transition Costs can best be summarized as consisting of four different types:

1. Costs to be incurred in review of the new roles and responsibilities of the SWIB: The creation of one SWIB, in lieu of the four LWIBs, will, over time, result in a decrease of costs currently incurred in the audit and review of the four LWIBs by both the State Service Center as well as the Maine DOL Bureau of Employment Services. Compilation of financial reports and audit expense will both be decreased in this new configuration, shrinking from four areas to one. However, initially we anticipate these expenses to remain flat or trend up slightly during a break-in/readjustment period. Any initial increase in expenses will be funded from the 10% administrative fees previously absorbed by the LWIBs.

2. Costs to be incurred by moving to eight Chamber Regions in place of the 4 local areas:

While incremental costs will be incurred to reimburse Chambers of Commerce for convening workforce development meetings and disseminating information to all employers within a region (Chamber members and non members alike), these costs will be funded through a small portion of what was historically the 10% administrative fees which were absorbed by the LWIBs for administrative overhead from WIA funding.

3. Ongoing review costs of service providers—both financial audit and review, as well as program monitoring costs:

Responsibilities of financial audit and program monitoring will shift from the LWIBs to BES. This may require the addition of one individual to perform program monitoring in the field across the state. An RFP will also need to be generated for auditing of the service providers by a certified public accounting firm. It is anticipated that the transfer of the these costs from the LWIBs to the state will be done at less expense due to the realization of economies of scale for both program review and financial audit. These costs will also be funded from the LWIB 10% allocation.

4. Wind down costs associated with the phase out of the LWIBs; Wind down costs associated with the phase out of the LWIBs will be incurred in the transition year. These costs will include staff dislocation, a determination of equipment lease and property lease wind downs relevant to WIA expenses only, owned equipment disposition relative to WIA, legal and record retention issues, audit issues, prior year closeout issues, etc. TEGL 01-99 will be used to implement this process, as well as the requirements specified at 29 CFR 97.50 and 29 CFR 95.71. Having been through previous JTPA closeouts as well as prior sub recipient ones, the Closeout Checklists are in place (see Attachments 23 and 24), as is the experienced staff in BES & the Service Center to implement them. The costs associated with the wind downs will come from a portion of the administrative 10% cost allocated to the LWIBS.

#### Process for monitoring progress and implementation

The SWIB has established a work group to develop performance metrics beyond the WIA required measures. Those metrics will include indicators to assess program performance. For example, the SWIB will be measuring employer market penetration indicating numbers of employers served and the industries covered by those employers.

The SWIB, through the Five-Year WIA Strategic Plan, will establish a timetable for implementation and assessment of the new system. The SWIB staff will regularly examine performance data and financial activity and report that information to the SWIB, Chief Elected Officials, and Governor.

We will closely examine financial activity to ensure that Maine realizes the expected results of increased training dollars, more individuals obtaining employment and

employment related credentials, and job growth in sectors offering better paying employment.

# How the state intends to monitor the state board acting in the capacity of the local board

The monitoring of the State Board will be provided by two separate bureaus/agencies within the Maine State government. As detailed on page 127 and in Attachment 4 of the 2012 WIA State Plan, the roles and responsibilities of monitoring and financial review will be carried out by the Policy and Evaluation Unit of BES, by the Maine DOL as the State Workforce Agency, and by the Financial Service Center.

Policy monitoring will be conducted by the Policy and Evaluation Unit of BES. Upon acceptance of the Plan a more detailed review of this unit will be performed, to assure no conflicts of interest exist relative to the other duties and functions of BES.

The fiscal auditing and financial reporting will be conducted by the Financial Service Center, which currently provides this role for the LWIBs. The new configuration will result in a streamlined audit and review due to one Board instead of the four LWIBs and proximity of location relative to the State Board.

#### **Procurement Policies**

The Maine Department of Labor has established written procurement policies and procedures covering local boards and one stops. Please use this link to access the Bureau of Employment Services Financial System Manual and Revisions: Revised Financial System Manual 08-01 and refer to Section K: Procurement.

### State policy ensuring that the functions of the local board are met by the state board

Under the proposed SWIB-LWIB governance structure, it is the policy of the state of Maine that the State Workforce Investment Board will fulfill all the functions and roles of a Local Workforce Investment Board as outlined in the Workforce Investment Act, Title I, subpart A, Section 117 and 20 CFR §661.305 and §661.307, including, but not limited to:

- Developing the five-year local workforce investment plan (Local Plan) and conducting oversight of the One-Stop system, youth activities and employment and training activities under title I of WIA, in partnership with the chief elected official
- Selecting One-Stop operators with the agreement of the chief elected official
- Selecting eligible youth service providers based on the recommendations of the youth council, and identifying eligible providers of adult and dislocated worker intensive services and training services, and maintaining a list of eligible

- providers with performance and cost information, as required in 20 CFR part 663, subpart E
- Developing a budget for the purpose of carrying out the duties of the Local Board, subject to the approval of the chief elected official
- Negotiating and reaching agreement on local performance measures with the chief elected official and the Governor
- Assisting the Governor in developing the Statewide employment statistics system under the Wagner-Peyser Act
- Coordinating workforce investment activities with economic development strategies and developing employer linkages; and
- Promoting private sector involvement in the Statewide workforce investment system through effective connecting, brokering, and coaching activities through intermediaries such as the One-Stop operator in the local area or through other organizations, to assist employers in meeting hiring needs
- Appointing a youth council, in cooperation with the chief elected official(s), as a subgroup of the Local Board and coordinates workforce and youth plans and activities with the youth council, in accordance with WIA section 117(h) and § 661.335 of this part
- Conducting its business in an open manner as required by WIA section 117(e), by
  making available to the public, on a regular basis through open meetings,
  information about the activities of the Local Board. This includes information
  about the Local Plan prior to submission of the plan; information about
  membership; the development of significant policies, interpretations, guidelines
  and definitions; and, on request, minutes of formal meetings of the Local Board

Furthermore, the SWIB-LWIB will establish a Youth Council in accordance with the requirements outlined in the Workforce Investment Act, Title I, subpart A. Section 117 (h): including, but not limited to:

- Establishing a youth council in cooperation with the chief local official(s)
- Appointing, in cooperation with the chief local official(s), members of the youth council that include:
  - members of the local board who are also on the state board and have special interest or expertise in youth policy;
  - representatives of youth service agencies, including juvenile justice and local law enforcement;
  - o representatives of local public housing authorities;
  - o parents of eligible youth seeking assistance under WIA;
  - individuals, including former participants, and representatives of organizations that have expertise related to youth activities;
  - o representatives of Job Corps; and
  - o other individuals as the chair of the LWIB, in cooperation with the chief elected official(s), deem appropriate.

The members of the Youth Council who are not members of the SWIB will be voting members of the Youth Council and nonvoting members of the SWIB.

The duties of the Youth Council will conform to the requirements in WIA, Title I, subpart A, section 117 (h) (4), including, but not limited to:

- Developing the portions of the local plan relating to eligible youth;
- Recommending eligible providers of youth activities to be awarded grants or contracts on a competitive basis, with the approval of the local board and consistent with WIA Title I, subpart A, section 123,
- Conducting oversight of the eligible providers of youth activities in the local area
- Coordinating youth activities authorized under WIA Title I, subpart A, section 129 in the local area
- Other duties deemed appropriate by the Chair of the local board

In respect to the establishment of the Youth Council and appointment of its members, the SWIB will take into account the individuals already active on Maine's Shared Youth Vision District Councils, the Maine Young Adult Networking Team, and the Youth Councils currently existing under our present four local area governance structure. It is the intent of the SWIB-LWIB to leverage the human resources already functioning to address youth education, employment, and civic engagement, and to ensure a collaborative, nonduplicative process for addressing youth employment programming.

#### **Notice to affected local boards**

The Local Workforce Investment Boards were present during State Workforce Investment Board meetings during which this redesignation was discussed. The LWIB Directors were invited to meet with the Governor and his representatives. The notice of public comment was sent to the LWIB Directors for dissemination to their Boards and interested parties.

### **Public Comment**

The completed waiver was contained in the state WIA Plan and posted to the homepage of the Maine Jobs Council/State Workforce Investment Board for a sixteen day public comment period prior to the formal submission to USDOL-ETA: www.maine.gov/labor/mjc/index.shtml

A notice of public comment was released via email to the State Workforce Investment Board membership, the Local Workforce Investment Boards, the Chief Local Elected Officials (County Commissioners), the Council's/Board's committees, the State and Local Chambers of Commerce, and interested parties.

The public comments received are contained in the Public Comment Section of the State WIA Plan 2012 – 2016.

A total of eighty two (82) comments were received—fifteen (15) were supportive of the State Plan, two (2) were neutral and sixty five (65) were opposed.

Twenty (20) of those opposed were either Board members of the four (4) LWIBs, or businesses or agencies which do direct business with the LWIBs. The LWIBs are slated to be eliminated under the new plan.

An additional thirteen (13) were County Commissioner comments, who were unanimously opposed. Reading these comments, there appears to be a misunderstanding of their role going forward, which is essentially unchanged. The same can be said of State Legislators. Those who publicly commented (ten in total) were all in opposition to the plan.

The overriding concern of most of these comments as well as the other "negative" comments was the perceived loss of local control and the potential change in allocation formulas. As stated in the plan, the intent is to increase the level of local input by going from four local areas to eight regions, and at the same time becoming both more employer led and data driven. As far as the allocation of funds to counties for job seekers, as these are formulaically prescribed they will not be changed other than if the formulas change. There is no intent to adjust them in any different way.

Surprisingly, there were only seven (7) businesses from more than 46,000 throughout the state that weighed in, which were not directly affiliated with any other group in other ways. Given the 14 years of the LWIB existence, one would have expected a larger voice from this segment. Five (5) of these businesses were opposed to the State Plan, while two (2) were in favor.

Of the fifteen (15) supportive comments, six (6) were from Chambers of Commerce, who will become part of the delivery mechanism with the adoption of the new State Plan, four (4) were from SWIB Board or Committee members, two (2) were from businesses, two (2) from economic developers and one "other".

The public comments received are contained in the Public Comment Section of the State WIA Plan 2012 – 2016.

# PARTNER ROLES & RESPONSIBILITIES IN THE RESTRUCTURED WORKFORCE DEVELOPMENT SYSTEM

In the new structure proposed by Governor LePage, the State will request a waiver for the State Workforce Investment Board (SWIB) to carry out the roles and functions of the Local Workforce Investment Board. The following shows how the SWIB and the

# Department of Labor as the State Workforce Agency will assign those roles and functions.

### STATE WORKFORCE INVESTMENT BOARD

- Submit a 5-year Local Plan to qualify for receipt of Workforce Investment Act Title I program funds
- 2. Select service providers for core and intensive program services for adult and dislocated workers
- 3. Clarify roles and responsibilities of board staff, fiscal agent, service provider, One-Stop Center or System Operators, and youth council and how interaction will occur among these parties
- 4. Designate or certify (a) One-Stop System or Center Operator(s)
- 5. Establish policies for services
- 6. Appoint youth council as a subgroup of the Local Board and coordinate workforce and youth plans and activities with the youth council
- 7. Assist in developing a statewide employment statistics system
- 8. Ensure effective connecting, brokering and coaching activities to assist employers
- 9. Coordinate activities with economic development and employers
- 10. Select and certify eligible youth providers on the youth council's recommendation
- 11. Assist Governor to develop the statewide employment statistic system
- 12. Coordinate workforce investment activities with economic development strategies plus develop employer linkages
- 13. Promote private sector involvement in the statewide workforce investment system
- 14. Conduct business in an open and public manner by making available to the public, on a regular basis, the plans, operations and performance record of the Workforce Investment Area.
- 15. Negotiate with local service providers to create and implement a MOU that includes a description of the local workforce development system, agreed upon service standards, partner responsibilities, and performance expectations

#### MAINE DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT SERVICES

- Develop budget for funds allocated through the WIA grant administrative entity
- 2. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds
- 3. Establish policies for services
- 4. Approve Memorandums of Understanding
- 5. Negotiate and reach local performance measures for WIA Programs
- 6. Monitor programs for implementation of federal, state and local policies/procedures to ensure compliance
- 7. Negotiate local performance
- 8. Procure contracts or obtain written agreements
- 9. Identify, select and certify eligible training providers for adult & dislocated workers within the Workforce Investment Area

10. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds

#### MAINE DEPARTMENT OF LABOR

- 1. Disburse funds for Salaries, Contracts, Wages, Vouchers
- 2. Ensure independent audit of all Employment and Training programs
- 3. Receive funds
- 4. Sign contracts

### MAINE DEPT OF ADMINISTRATIVE AND FINANCIAL SERVICES (SERVICE CENTER)

- 1. Ensure accountability for expenditures of funds in accordance with OMB Circulars,
- 2. Federal Regulations and State policies
- 3. Conduct financial monitoring of service providers
- 4. Respond to audit financial findings
- 5. Maintain proper accounting records and adequate documentation
- 6. Prepare financial reports
- 7. Provide technical assistance to sub-recipients regarding fiscal issues

#### MAINE DEPARTMENT OF LABOR CENTER FOR WORKFORCE RESEARCH & INFORMATION

1. Assist in developing a statewide employment statistics system

### CHAMBERS OF COMMERCE

- 1. Ensure effective connecting, brokering and coaching activities to assist employers
- 2. Coordinate activities with economic development and employers

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#### Assurances for PY 2012 State Plan

The state established processes and timelines, consistent with WIA Section 111(g) –
and, where appropriate, 20 CFR 641.325 (g) – to obtain input into the development
of the Integrated Workforce Plan and to give opportunity for comment by
representatives of local elected officials, local workforce investment boards,
businesses, labor organizations, other primary stakeholders, and the general public.

MDOL assures that processes and timelines, consistent with WIA Section 111(g) – and, where appropriate, 20 CFR 641.325 (g) – to obtain input into the development of the Integrated Workforce Plan and to give opportunity for comment by representatives of local elected officials, local workforce investment boards, businesses, labor organizations, other primary stakeholders, and the general public have been established.

#### All public comments received are found in the Public Comments section

2. The state afforded opportunities to those responsible for planning or administering programs and activities covered in the Integrated Workforce Plan to review and comment on the draft plan.

MDOL assures all those responsible for planning or administering programs and activities covered in the integrated Workforce Plan were afforded the opportunity to review and comment on the draft plan.

3. The final Integrated Workforce Plan and State Operational Plan are available and accessible to the general public.

MDOL assures that the final Integrated Workforce Plan and State Operational Plan is available and accessible to the general public by being posted to the home page of the Maine Department of Labor for public comment prior to the formal submission to USDOL-ETA at http://www.maine.gov/labor

4. The state afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the organizations listed above and allowed at least 30 days for review and comment. The State considered any comments received in formulating its final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan.

MDOL afforded the State Monitor Advocate an opportunity to approve and comment on the Agricultural Outreach Plan. The state solicited information and suggestions from WIA 167 National Farmworker Jobs Program grantees, other appropriate MSFW groups, public agencies, agricultural employer organizations, and other interested organizations. At least 45 days before submitting its final outreach, the State provided a proposed plan to the those entities and allowed at least 30 days for review and comment. The State considered any comments received in formulating its final proposed plan, informed all commenting parties in writing whether their comments have been incorporated and, if not, the reasons therefore, and included the comments and recommendations received and its responses with the submission of the plan.

#### The public notice was posted to

http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases& id=426123&v=MJCArticle. All public comments received are contained in the public comments section of this document, following the public comments received for the WAI Strategic Plan and Waiver Request.

- 5. In the development of the plan, the state considered the recommendations submitted by the State Monitor Advocate in the annual summary of services to Migrant and Seasonal Farmworkers.
  - MDOL assures that the State Monitor Advocate was considered in the development of the recommendations in the annual summary of services to migrant and Seasonal Farmworkers submitted.
- 6. The state established a written policy and procedure to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes.

MDOL assures that a written policy and procedures to ensure public access (including people with disabilities) to board meetings and information regarding board activities, such as board membership and minutes have been established.

As stated in Maine Statute MRSA 26, Chapter 25, Section 2006:

"Meetings. The board shall meet at such times and such places as it considers necessary. The meetings must be publicly announced and open to the general public. A majority of members of the board constitutes a quorum for the transaction of business."

As stated in Article IV the SWIB Bylaws approved on August 17, 2012: "Section 4. Announcements Meeting notices for the SWIB and all of its Committees shall be posted on the SWIB web site (<a href="http://www.maine.gov/swib">http://www.maine.gov/swib</a>) at least two weeks prior to the meeting. In addition, electronic mail to members,

interested parties, and press will be sent out at least two weeks before any meeting of the full Council or its Committees. Any member of the public can be put on this mailing list upon request."

7. Where SCSEP is included in the Integrated Workforce plan, the state established a written policy and procedure to obtain advise and recommendations on the State Plan from representatives of the State and area agencies on aging; State and local boards under the WIA; public and private nonprofit agencies and organizations providing employment services, including each grantee operating a SCSEP project with the state, except as provided under section 506(a)(3) of OAA and 20 CFR 641.320(b); Social Service organizations providing services to older individuals; Grantees under Title III of OAA, Affected Communities, unemployed older individuals, Community Based organizations serving older individuals; business organizations and labor organizations.

#### Not applicable

- 8. The state made available to the public state-imposed requirements, such as state wide policies or guidance, for the statewide public workforce system, including policy for the use of WIA title I statewide funds.
  - MDOL assures that state-imposed requirements, such as state-wide policies or guidance, for the statewide public workforce system, including policy for the use of WIA title I statewide funds have been made available to the public.
- 9. The state established a written policy and procedure that identifies circumstances that might present a conflict of interest for any state or local workforce investment board member or the entity that s/he represents, and provides for the resolution of conflicts. The policy meets the requirements of WIA Sections 111(f) and 117(g).

MDOL assures that a state written policy and procedure that identifies circumstances that might present a conflict of interest for any state or local workforce investment board member or the entity that s/he represents, and provides for the resolution of conflicts has been established. The policy meets the requirements of WIA Sections 111(f) and 117(g).

As stated in Article IV the SWIB Bylaws approved on August 17, 2012: Section 11. Conflict of interest A conflict of interest arises when a Board member, any member of that individual's (or partner's) immediate family; or an organization which employs (or is about to employ) any of the above, has a financial or other interest in a firm or organization selected for an award, grant, or contract by the SWIB. Members of the SWIB shall not cast votes nor participate in any decision-making capacity on the provision of services by such member (or any organization which that member represents), nor on any matter which would

provide financial benefit to that member. Members who violate this standard of conduct will be disciplined by exclusion from the SWIB meetings for a period of 9 months.

10. The state has established a written policy and procedure that describes the state's appeals process available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116.

MDOL has established a written policy and procedure that describes the state's appeals process available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116.

Maine has the following policy and procedure for appealing the designation of local areas:

"The Act requires an appeal process to be established in the State Plan to address the requests for temporary designation that are denied.

On appeal, the Secretary of Labor may determine that the CLEO(s) were not accorded procedural rights consistent with the appeal process established in the State Plan or the area meets the requirements for automatic or temporary designation. However, WIA §189(i)(4)(A)(i) prohibits the Secretary from granting waivers regarding local area designation.

a. Appeal to the State Board (State Workforce Investment Board)

A unit of general local government or grant recipient entitled to apply for designation under WIA §116(a)(2) or (3) whose request is denied by the Governor may submit an appeal to the MJC. The entity will have twenty (20) days from the date of the notification of denial to submit an appeal. The appeal should include all factual and legal arguments as to why the appeal should be granted. The MJC will conduct a hearing on the appeal and issue a decision within thirty – days from the date of receipt of the appeal. The hearing shall be conducted consistent with the due process procedures contained in the Maine Administrative Procedures Act. The decision shall be provided in writing. If the decision fails to uphold the appeal, the decision shall explain the specific reasons for the decision. The designation process will continue while the appeal is in progress, and will be modified should the initial denial of designation be overturned.

#### b. Appeal to the United States Department of Labor

If the appeal of the decision submitted to the MJC does not result in the requested designation, the unit or grant recipient may appeal the designation decision to the

U.S. Secretary of Labor within twenty days of receipt of the decision from the MJC. The appeal to the Secretary must be consistent with the requirements of the WIA. The U.S. Secretary of Labor, after receiving a request for review from the unit or grant recipient and on determining that the unit or grant recipient was not accorded procedural rights under the appeal process established in the State Plan, or that the area meets the requirements of WIA §116(a)(2) or (3), as appropriate, may require that the area be designated as a local area under such appropriate paragraph."

11. The state has established a written policy and procedure that describes the state's appeals process available to units of local government or grant recipients that request, but are not granted, designation of an area as a local area under WIA Section 116.

#### Same as #10 above.

12. The state established a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members.

MDOL assures that a written policy and procedure that set forth criteria to be used by chief elected officials for the appointment of local workforce investment board members has been established.

See Attachment 13: BES Policy #11-01: Local Board Certification and Recertification Policy One-Stop Operator Certification Procedures

14. The state established written policy and procedures to ensure local workforce investment boards are certified by the governor every two years.

MDOL assures that a written policy and procedures to ensure local workforce investment boards are certified by the governor every two years has been established.

See Attachment 13: BES Policy #11-01: Local Board Certification and Recertification Policy One-Stop Operator Certification Procedures

15. Where an alternative entity takes the place of an SWIB, the state has written policy and procedures to ensure the alternative entity meets the definition under section 111(e) and the legal requirements for membership.

#### Not applicable

16. When applicable, the state takes any action necessary to assist local areas in developing and implementing the One-Stop system.

Not applicable

17. The state established procedures for determining initial and subsequent eligibility of training providers.

MDOL assures that procedures for determining initial and subsequent eligibility of training providers have been established.

See Attachment 11: BES Policy #06-02: Eligible Training Providers

18. All partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One-Stop Career Centers.

MDOL assures that all partners in the workforce and education system described in this plan will ensure the physical, programmatic, and communications accessibility of facilities, programs, services, technology, and materials for individuals with disabilities in One-Stop Career Centers.

All materials, facilities, programs, and communications funded by or sponsored by the Maine Department of Labor are required to contain the following assurance to the public:

"The State Workforce Investment Board and the Maine Department of Labor provide equal opportunity in employment and programs. Auxiliary aids and services are available to individuals with disabilities upon request."

19. The state ensures that outreach is provided to populations and subpopulations who can benefit from One-Stop Career Center services.

MDOL assures that outreach is provided to populations and subpopulations that can benefit from One-Stop Career Center services. See Sections 1 and 2 of this strategic plan for discussions of outreach to populations and subpopulations.

All One-Stop CareerCenter are required to display signage indicating that translation services are available upon request for any one requesting them.

20. The state implements universal access to programs and activities to all individuals through reasonable recruitment targeting, outreach efforts, assessments, services delivery, partnership development, and numeric goals.

MDOL assures that universal access to programs and activities to all individuals through reasonable recruitment targeting, outreach efforts, assessments, services delivery, partnership development, and numeric goals is implemented.

21. The state complies with the nondiscrimination provisions of section 188, including that Methods of Administration were developed and implemented.

MDOL ensures that the nondiscrimination provisions of section 188, including that Methods of Administration were developed and implemented are in compliance.

22. The state collects and maintains data necessary to show compliance with nondiscrimination provisions of section 188.

MDOL assures that data necessary to show compliance with nondiscrimination provisions of section 188 are collected and maintained.

23. For WIA Single-Area States only, the state has memorandums of understanding between the local workforce investment board and each of the One-Stop partner concerning the operation of the One-Stop delivery system in the local area.

#### Not applicable

24. The state established written policy and procedures that outline the methods and factors used in distributing funds, including WIA Adult, Dislocated Worker, and Youth formula and rapid response funds. The policy establishes a process for funds distribution to local areas for youth activities under WIA Section 128(b)(3)(B), and for adult and training activities under WIA Section 133(b), to the level of detail required by Section 112(b)(12)(a). In addition, the policy establishes a formula, prescribed by the governor under Section 133(b)(2)(B), for the allocation of funds to local areas for dislocated worker employment and training activities.

MDOL assures that a written policy and procedures that outline the methods and factors used in distributing funds, including WIA Adult, Dislocated Worker, and Youth formula and rapid response funds have been established. The policy establishes a process for funds distribution to local areas for youth activities under WIA Section 128(b)(3)(B), and for adult and training activities under WIA Section 133(b), to the level of detail required by Section 112(b)(12)(a). In addition, the policy establishes a formula, prescribed by the governor under Section 133(b)(2)(B), for the allocation of funds to local areas for dislocated worker employment and training activities.

See Attachment 17 WIA PY 2012 Allocations Documentation.

24a. For Dislocated Worker funding formulas, the state's policy and procedure includes the data used and weights assigned. If the state uses other information or chooses to omit any of the information sources set forth in WIA when determining the Dislocated Worker formula, the state assures that written rationale exists to explain the decision.

MDOL assures that for Dislocated Worker funding formulas, the state's policy and procedure includes the data used and weights assigned. If the state uses other information or chooses to omit any of the information sources set forth in WIA when determining the Dislocated Worker formula, the state assures that written rationale exists to explain the decision.

25. The state established a written policy and procedure for how the individual and entities represented on SWIB help to determine the methods and factors of distribution, and how the state consults with chief elected officials in local workforce investment areas throughout the state in determining the distributions.

MDOL assures that it will establish, in accordance with section 184 of the Workforce Investment Act, fiscal control and fund accounting procedures that may be necessary to ensure the proper disbursement of, and accounting for, funds paid to MDOL through the allotments made under sections 127 and 132. (§112(b)(11).)

Please use this link to access the Bureau of Employment Services Financial SystemManual and Revisions: Revised Financial System Manual 08-01

26. The state established written policy and procedures for any distribution of funds to local workforce investment areas reserved for rapid response activities, including the timing and process for determining whether a distribution will take place.

MDOL assures that a written policy and procedures for any distribution of funds to local workforce investment areas reserved for rapid response activities, including the timing and process for determining whether a distribution will take place has been established.

See Attachment 14: BES Policy #11-03: Rapid Response Additional Assistance Funds Request

27. The state established written policy and procedures to competitively award grants and contracts for WIA Title I activities.

MDOL assures a written policy and procedures to competitively award grants and contracts for WIA Title I activities has been established.

Please use this link to access the Bureau of Employment Services Financial System Manual and Revisions: Revised Financial System Manual 08-01 refer to Section K: Procurement.

28. The state established written criteria to be used by local workforce investment boards in awarding grants for youth activities, including criteria that the governor and local workforce investment boards will use to identify effective and ineffective youth activities and providers of such activities.

MDOL assures that written criteria to be used by local workforce investment boards in awarding grants for youth activities, including criteria that the governor and local workforce investment boards will use to identify effective and ineffective youth activities and providers of such activities have been established.

An LWIB identifies eligible providers of youth activities by awarding grants or contracts on a competitive basis, based on Youth Council recommendations and on the criteria contained in the State plan. Providers of youth activities are not subject to the Training Provider Certification System and are not eligible to provide training through the receipt of Individual Training Accounts. Eligible Youth Activities Providers are subject to the Governor's Standard for core indicator of performance established for youth programs in the Act.

Based on experience, the needs of the youth population will greatly outweigh the resources available to serve them. The LWIBs and their youth councils conducted, over the first year of WIA operation, a systematic assessment of local youth populations and existing services and identified the gaps in services that could best be filled by these resources.

MDOL does not support the use of WIA funds to underwrite the cost and development of new or additional stand-alone categorical programs. MDOL does envision the development of a closer working relationship between existing programs and activities and the provision of a menu of varied services at different times, which are coordinated through the CareerCenters. Present service providers of WIA youth activities are evaluated on an ongoing basis. Youth Councils engage in community discussions on improving the youth services system.

Requests for Proposals have been and will continue to be issued with grants awarded by LWIBs using the following criteria at a minimum:

- Length of service delivery;
- Community credibility;
- Effectiveness in achieving stated goals;
- Audit reports; and,
- Experience in working with coordinated approaches.

Additional criteria may be developed by LWIBs relating to their local goals and objectives.

Results of the evaluation of achievement of stated goals will be used to identify effectiveness of providers.

29. The state distributes adult and youth funds received under WIA equitably throughout the state, and no local areas suffer significant shifts in funding from year-to-year during the period covered by this plan.

MDOL assures that the state distributes adult and youth funds received under WIA equitably throughout the state, and no local areas suffer significant shifts in funding from year-to-year during the period covered by this plan.

See Attachment 17: WIA PY 2012 Allocations Documentation.

31. The state established written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to ensure the proper disbursement and accounting of funds paid to the state through funding allotments made for WIA Adult, Dislocated Worker, and Youth programs, and the WagnerPeyser Act.

MDOL assures written fiscal-controls and fund-accounting procedures and ensures such procedures are followed to ensure the proper disbursement and accounting of funds paid to the state through funding allotments made for WIA Adult, Dislocated Worker, and Youth programs, and the Wagner-Peyser Act have been established.

Please use this link to access the Bureau of Employment Services Financial SystemManual and Revisions: Revised Financial System Manual 08-01.

32. The state ensures compliance with the uniform administrative requirements in WIA through annual, onsite monitoring of each local area.

MDOL assures compliance with the uniform administrative requirements in WIA through annual, onsite monitoring of each local area.

33. The state follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIA, and applicable Departmental Regulations.

MDOL follows confidentiality requirements for wage and education records as required by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, WIA, and applicable Departmental regulations. MDOL assures that it will comply with the confidentiality requirements of WIA section 136(f)(3).

34. The state will not use funds received under WIA to assist, promote, or deter union organizing.

MDOL assures that no funds received under the Workforce Investment Act will be used to assist, promote, or deter union organizing. (§181(b)(7).)

35. The state established policies, procedures, and criteria for prioritizing adult title I employment and training funds for use by recipients of public assistance and other low-income individuals in the local area when funds are limited.

MDOL assures policies, procedures, and criteria for prioritizing adult title I employment and training funds for use by recipients of public assistance and other low-income individuals in the local area when funds are limited have been established.

See Attachment 10: BES Policy #06-01: Individual Training Accounts.

- 36. The state established policies for the delivery of priority of service for veterans and eligible spouses by the state workforce agency or agencies, local workforce investment boards, and One-Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The state policies:
  - 1. Ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service; and
  - 2. Ensure that covered persons are aware of: a. Their entitlement to priority of service; b. The full array of employment, training, and placement services available under priority of service; and c. Any applicable eligibility requirements for those programs and/ or services.
  - 3. Require local workforce investment boards to develop and include policies in their local plan to implement priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers.

MDOL assures that the state has established policies for the delivery of priority of service for veterans and eligible spouses by the state workforce agency or agencies, local workforce investment boards, and One-Stop Career Centers for all qualified job training programs delivered through the state's workforce system. The state policies:

- 1. Ensure that covered persons are identified at the point of entry and given an opportunity to take full advantage of priority of service; and
- 2. Ensure that covered persons are aware of: a. Their entitlement to priority of service; b. The full array of employment, training, and placement services available under priority of service; and c. Any applicable eligibility requirements for those programs and/ or services.

3. Require local workforce investment boards to develop and include policies in their local plan to implement priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers.

See Attachment 12: BES Policy #09-04: Veterans Priority of Service Policy.

37. The state assures that Migrant and Seasonal Farmworker (MSFW) significant office requirements are met.

Note: The five states with the highest estimated year-round MSFW activities must assign full-time, year-round staff to outreach activities. The Employment and Training Administration designates these states each year. The remainder of the top 20 significant MSFW states must make maximum efforts to hire outreach staff with MSFW experience for year-round positions and shall assign outreach staff to work full-time during the period of highest activity. If a state proposes that its State Monitor Advocate work less than full-time, the state must submit, for approval by the Department, a plan for less than full-time work, demonstrating that the state MSFW Monitor Advocate function can be effectively performed with part-time staffing.

MDOL assures that it will comply with the MSFW significant office requirements in accordance with 20 CFR part 653. See Section 2 Operational Plan for discussion

38. Merit-based public employees provide Wagner-Peyser Act-funded labor exchange activities in accordance with Departmental regulations.

MDOL certifies that merit-based public employees in accordance with MDOL regulations will provide Wagner-Peyser Act funded labor exchange activities.

39. The state has designated at least one person in each state or Federal employment office to promote and develop employment opportunities, job counseling, and placement for individuals with disabilities.

MDOL is the parent agency of the Bureau of Rehabilitation Services and assures that VR counselors are assigned to each local employment office plus the DEI and DPN are being grant implemented in CareerCenters. Each CareerCenter has an assigned Disability Resource Coordinator.

40. If a SWIB, department, or agency administers state laws for vocational rehabilitation of persons with disabilities, that board, department, or agency cooperates with the agency that administers Wagner-Peyser services.

MDOL is the parent agency of the Bureau of Rehabilitation Services and assures that VR counselors are assigned to each local employment office plus the DEI and

DPN are being grant implemented in CareerCenters. VR counselors assigned to each local employment office work collaboratively with Wagner-Peyser services.

#### STATEMENT OF ASSURANCES CERTIFICATION

The State of Maine certifies on the tenth day of August in the year 2012 that it complied with all of required components of the Workforce Investment Act, Wagner-Peyser Act, and Maine Statute MRSA 26, Chapter 25 Section 2006 "Workforce Investment Act." The State also assures that funds will be spent in accordance with the Workforce Investment Act and their regulations, written Department of Labor guidance implementing these laws, and all other applicable Federal and state laws and regulations.

Paul R. LePage, Governor

Paul Kelage

September 13, 2012

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#### **ATTACHMENTS\***

- 1. State Workforce Investment Board Membership
- 2. Chamber of Commerce Regions Map, with CareerCenter locations
- 3. SWIB State Plan Workgroup Schedule
- 4. Partner Roles and Responsibilities in the Restructured Workforce Development System
- 5. Governor's Account Executives, Department of Economic and Community Development
- 6. LD 1874, Public Law Chapter 627, 125<sup>th</sup> Maine State Legislature
- 7. Individual and Combined Roles and Responsibilities of the LWIB and CLEOs Under the Workforce Investment Act
- 8. SWIB BY-Laws
- 9. Chamber Regions Sample of Activities for the Year
- 10. BES Policy 06-01: Individual Training Accounts\*
- 11. BES Policy 06-02: Eligible Training Providers\*
- 12. BES Policy 09-04: Implementing the Veterans' Priority Provisions of the "Jobs for Veterans Act" (PL 107-288) and American Recovery and Reinvestment Act of 2009\*
- 13. BES Policy 11-01: Local Workforce Investment Board Certification and Recertification Policy One Stop Operator Certification Process\*
- 14. BES Policy 11-03: Rapid response Additional Funds Request\*

#### Attachments 15-24 are on a separate pdf format document

- 15. Bureau of Employment Services Personnel Organizational Chart
- 16. Performance Scorecard
- 17. Workforce Investment Act PY 2012 Allocations Documentation
- 18. Waiver Request: Common Measures
- 19. Waiver Request: Implementation of Subsequent Eligibility of Training Providers
- 20. Waiver Request: Customized Training: 50% of the Cost of Training Employer Match Utilizing WIA Funds
- 21. Waiver Request: Incumbent Worker Training using WIA Program Funds
- 22. Maine's Industry Partnership/Sector Strategy
- 23. Sample Grant Recipient Closeout Checklist
- 24. Closeout Plan Form

<sup>\*</sup> These attachments are the current policies in force. BES Policies currently in force will be revised as needed to reflect changes resulting from the approval of the WIA Plan and Waiver permitting the SWIB to function as an LWIB. Policies will not be revised until warranted.

#### **ATTACHMENT 1**

#### STATE WORKFORCE INVESTMENT BOARD MEMBERSHIP

#### The Governor

#### 1 – Paul R. LePage

#### Representatives of Business in the State (60.8% Majority)

2 – Frederick Webber	Maine Street Solutions - Augusta
3 – Wayne Holmquist	Real Estate Entrepreneur - Standish
4 – Scott Good	Crescendo Consulting Group - Portland

5 – Ed McKersie Pro Search - Portland 6 – Leo Roche New Fab - Auburn

7 – Joanne Harris MDI Hospital – Mount Desert Island

8 – Susan Corbett Axiom - Machias

9 – Kevin Healey St. Mary's Health System - Lewiston

10 – Steve Pound Cianbro - Pittsfield

11 – Mark Adams Sebago Technics - Westbrook

12 – Terry Young Puritan Medical Products - Guilford

13 – Robert Carmichael Maine Savings Federal Credit Union – Hampden

14 – Pending appointment Representative of the Native Communities (Aroostook Co.)

## <u>Legislators</u> (2 members of each chamber of the state legislature) (Ex-Officio / non voting)

- Senator Thomas Martin Jr. District 25
- Senator Garrett Mason District 17
- Representative Amy Volk District 127
- Representative Peter Johnson District 27

#### Chief Local Elected Officials

15 – Tom Davis Penobscot County 16 – Gary McGrane Franklin County

#### Representatives of Labor Organizations

17 – Don Berry AFL-CIO

18 – John Leavitt Carpenters Local 1996

Individuals or Organizations with experience with respect to Youth programs

19 - Craig Larrabee Jobs for Maine Graduates

20 – Tracey Cooley Job Corps

## <u>Individuals with experience in the delivery of workforce investment activities including Community Based Organizations</u>

21 – Gerard Salvo
 22 – Mel Clarrage
 Disability Rights Center

#### State agencies / programs representing required partners

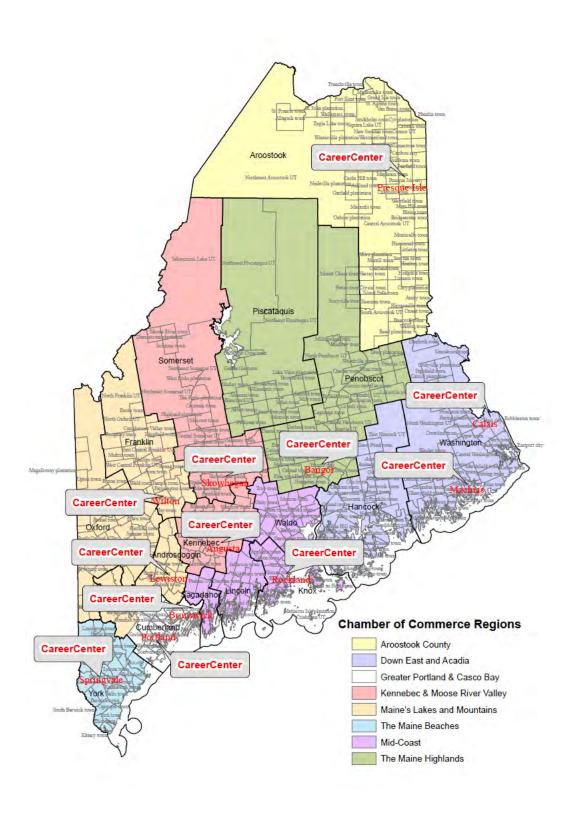
23 – Peter Pare, Bureau of Employment Services, Program Policy Committee Representative

#### Program Policy Committee Members;

- WIA Title I Peter Pare, Bureau of Employment Services
- Wagner-Peyser Peter Pare, BES
- Adult Education Gail Senese, Department of Education
- Vocational Rehabilitation Carolyn Lockwood, BRS
- TANF / Food Stamps Liz Ray, DHHS
- Senior Community Service Employment Program Dan Muth
- Carl Perkins Vocational Education Barbara Woodlee, MCCS
- Community Services Block Grant Activities Deb Neuman, DECD
- Trade Adjustment Act Peter Pare, BES
- Veterans Peter Pare, BES
- Housing and Urban Development William Burney, HUD Bangor
- Unemployment Insurance Laura Boyett, UI
- University System Renee Kelly, University of Maine
- Career & Technical Education Margaret Harvey, CTE

#### **ATTACHMENT 2**

#### Chamber Regions Map, Including CareerCenters



#### SWIB STATE PLAN WORKGROUP SCHEDULE

April 20 (Friday) 2:00 – 4:00 – Meet in person – Augusta MDOL office (Poly com to MDI Hospital)

- Planning Instructions
- Workgroup meeting schedule
- Workgroup meeting ground rules

May 2 (Wednesday) 2:00 – 4:00 – Meet via Polycom (Augusta Commerce Center, Lewiston Career Center, Portland Career Center and MDI Hospital)

- Governor's Vision
- Overview of System/Organization

May 16 (Wednesday) 2:00-4:00 – Meet in person - Lewiston Career Center (and Polycom to MDI Hospital)

- State Board
- Local Areas

May 30 (Wednesday) 2:00 - 4:00 - Meet via Polycom (Augusta Commerce Center, Lewiston Career Center, Portland Career Center and MDI Hospital)

- Policy Emphases
  - o Alignment with economic development
  - o Cross Program alignment
  - o Evidence based practice
  - o Credential attainment

June 13 (Wednesday) 2:00 - 4:00 - Meet in person - Portland Career Center (and Polycom to MDI Hospital)

- Policy Emphases
  - o Engaging employers
  - o Dual Customer Focus
  - o Serving target populations

June 27 (Wednesday) 2:00 – 4:00 – Meet via poly com (Augusta Commerce Center, Lewiston Career Center, Portland Career Center and MDI Hospital)

- Performance Measures

July 11 (Wednesday) 2:00 – 4:00 – Meet in Person – Central Maine Commerce Center, Augusta, with Polycom to Portland and Lewiston Career Centers

### PARTNER ROLES & RESPONSIBILITIES IN THE RESTRUCTURED WORKFORCE DEVELOPMENT SYSTEM

In the new structure proposed by Governor LePage, the State will request a waiver for the State Workforce Investment Board (SWIB) to carry out the roles and functions of the Local Workforce Investment Board. The following shows how the SWIB, and the Department of Labor as the State Workforce Agency will assign those roles and functions.

#### STATE WORKFORCE INVESTMENT BOARD

- 1. Submit a 5-year Local Plan to qualify for receipt of Workforce Investment Act Title I program funds
- 2. Select service providers for core and intensive program services for adult and dislocated workers
- 3. Clarify roles and responsibilities of board staff, fiscal agent, service provider, One-Stop Center or System Operators, and youth council and how interaction will occur among these parties
- 4. Designate or certify (a) One-Stop System or Center Operator(s)
- 5. Establish policies for services
- 6. Appoint youth council as a subgroup of the Local Board and coordinate workforce and youth plans and activities with the youth council.
- 7. Assist in developing Statewide employment statistics system
- 8. Ensure effective connecting, brokering and coaching activities to assist employers
- 9. Coordinate activities with economic development and employers
- 10. Select and certify eligible youth providers on the youth council's recommendation
- 11. Assist Governor to develop the statewide employment statistic system
- 12. Coordinate workforce investment activities with economic development strategies plus develop employer linkages
- 13. Promote private sector involvement in the statewide workforce investment system
- 14. Conduct business in an open and public manner by making available to the public, on a regular basis, the plans, operations and performance record of the Workforce Investment Area.
- 15. Negotiate with local service providers to create and implement a MOU that includes a description of the local workforce development system, agreed upon service standards, partner responsibilities, and performance expectations

#### MAINE DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT SERVICES

- 1. Develop budget for funds allocated through the WIA grant administrative entity
- 2. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds
- 3. Establish policies for services
- 4. Approve Memorandums of Understanding
- 5. Negotiate and reach local performance measures for WIA Programs

- 6. Monitor programs for implementation of federal, state and local policies/procedures to ensure compliance
- 7. Negotiate local performance
- 8. Procure contracts or obtain written agreements
- 9. Identify, select and certify eligible training providers for adult & dislocated workers within the Workforce Investment Area
- 10. Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds

#### MAINE DEPARTMENT OF LABOR

- 1. Disburse funds for Salaries, Contracts, Wages, Vouchers
- 2. Ensure independent audit of all Employment and Training programs
- 3. Receive funds
- 4.Sign contracts

## <u>MAINE DEPT OF ADMINISTRATIVE AND FINANCAL SERVICES (SERVICE CENTER)</u>

- 1.Ensure accountability for expenditures of funds in accordance with 0MB Circulars, Federal Regulations and State policies
- 2.Conduct financial monitoring of service provider
- 3.Respond to audit financial findings
- 4. Maintain proper accounting records and adequate documentation
- 5.Prepare financial reports
- 6.Provide technical assistance to sub-recipients regarding fiscal issues

## MAINE DEPARTMENT OF LABOR CENTER FOR WORKFORCE RESEARCH AND INFORMATION

1. Assist in developing Statewide employment statistics system

#### CHAMBER OF COMMERCE

- 1. Ensure effective connecting, brokering and coaching activities to assist employers
- 2. Coordinate activities with economic development and employers



#### **Governor's Account Executives**

#### **Meet Your Team!**

Currently, Maine has business development experts strategically located throughout the state. These Account Executives make sure hundreds of companies and economic development organizations take advantage of Maine's valuable business resources. Their primary goal? Make it simple and easy to do business in Maine.

Deb Neuman, Deputy Commissioner

DECD 59 State House Station 111 Sewall Street Augusta, ME 04330 Phone: 207-624-9822

Cellular: 207-557-1097

Email: deb.neuman@maine.gov

A former business owner herself, Deb is an experienced business advisor, lender, and advocate. Deb has many years of experience working with and on behalf of small businesses as an innovator and leader in Maine's economic development community. In addition, she hosts the award winning "Back to Business" radio show. Deb is well versed in the programs and well connected to the people who can help you grow your business in Maine.

Ron McKinnon, Senior Program Manager

DECD 59 State House Station 111 Sewall Street, 3rd Floor Augusta, ME 04330

Phone: 207-624-9819 Cellular: 207-557-3591

Email: ronald.j.mckinnon@maine.gov

Ron is the senior member of the Office of Business Development having worked the past 12 years in the field and in Augusta, after many successful years in the private sector. He has extensive experience in working with business of all kinds and is aware of all state programs and the processes involved including the Pine

Tree Development Zone Initiative which is now a state wide program. He has worked with all other state agencies and numerous municipal officials and economic entities throughout the State of Maine

Brian Doyle, Governor's Account Executive

DECD 59 State House Station 111 Sewall Street, 3rd Floor Augusta, ME 04330

Augusta, ME 04330 Phone: 207-624-9807

Email: brian.doyle@maine.gov

Brian brings a background in working with business to find the answers and resources they need to achieve their goals. He has assisted and advocated for numerous businesses while staffing DECD's Business Answers and Red Tape Hotline. Brian is well versed in state and federal programs that can help Maine businesses succeed.

Rosaire Pelletier, Governor's Account Executive

DECD 59 State House Station 111 Sewall Street, 3rd Floor Augusta, ME 04330

Phone: 207-624-7425 Cellular: 207-557-1971

Email: rosaire.pelletier@maine.gov

With decades of experience in the forest products industry, Rosaire is the expert when it comes to anything related to forest products manufacturing, management, markets and innovation, and can inform, connect and advise you to help you define your goals and plan your course of action to best achieve them. Rosaire is well connected to the key leaders and operators in the industry, both in and outside of Maine.

Kristine Schuman, Governor's Account Executive

Border Trust Business Center 2 Main Street, Suite 209 Topsham, ME 04086

Phone: 207-624-7456 Cellular: 207-592-0448

Email: kristine.schuman@maine.gov

As former Director of the Brunswick BRAC (Base Closure and Realignment Center) Transition Center, Kristine has worked with chambers of commerce, educational institutions and local organizations to help businesses start, expand

and adapt to change. She specializes in site selection, business management, marketing and funding. Kristine is based in Brunswick and can help identify and connect you to the resources in the MidCoast region that can help you to achieve your business goals.

Brian Mulligan, Governor's Account Executive

DECD 59 State House Station 111 Sewall Street, 3rd Floor Augusta, ME 04330

Phone: 207-624-7457 Cellular: 207-446-7533

Email: brian.mulligan@maine.gov

A former business owner himself, Brian understands the opportunities and challenges involved in starting and operating a family-owned business. Having also served in leadership positions in corporate settings, he has a keen understanding of business operations including management, human resources, sales and marketing. A lifelong Maine resident, Brian is committed to helping you grow your business in Maine.

Jaimie Logan, Governor's Account Executive

DECD 59 State House Station 111 Sewall Street, 3rd Floor Augusta, ME 04330

Phone: 207-624-7585 Cellular: 207-215-0302

Email: jaimie.logan@maine.gov

With over 16 years of leadership experience, Jaimie has an extensive background in assisting businesses with goal setting, marketing strategies and management, particularly in the tourism and hospitality sectors. Jaimie's legal background and training have developed valuable skills to assist you in identifying and analyzing business issues, and developing strategies to help you meet your goals.

PUBLIC Law, Chapter 627, LD 1874, 125th Maine State Legislature
An Act To Rename the Maine Jobs Council as the State Workforce Investment Board and Make Changes to Its Structure

 $SP0655, Signed \ on \ 2012-04-12 \ 00:00:00.0 \ - \ Second \ Regular \ Session \ - \ 125th \ Maine \ Legislature$ 

# An Act To Rename the Maine Jobs Council as the State Workforce Investment Board and Make Changes to Its Structure Be it enacted by the People of the State of Maine as follows:

- **Sec. 1. 26 MRSA §2004-A, sub-§1,** as enacted by PL 2003, c. 114, §9, is amended to read:
- **1. Review plans.** Review plans, policies and standards proposed by a local board, the Maine Jobs CouncilState Workforce Investment Board, the Governor or any other agency under the Workforce Investment Act before final approval by the responsible entity;
- **Sec. 2. 26 MRSA §2004-A, sub-§3,** as enacted by PL 2003, c. 114, §9, is amended to read:
- **3. Receive reports.** Receive reports prepared by the <u>Maine Jobs CouncilState</u> <u>Workforce Investment Board</u>, a local board, the Governor or any agency in connection with implementation of the Workforce Investment Act, including the report required by section 3101.
- **Sec. 3. 26 MRSA §2006,** as amended by PL 2011, c. 491, §10, is further amended to read:

#### § 2006. Establishment of State Workforce Investment Board

- **1. Responsibilities.** The Maine Jobs CouncilState Workforce Investment Board, referred to in this section as "the board," is established to ensure that the State's workforce development system helps Maine people and businesses compete successfully in the global economy. Specific responsibilities include but are not limited to:
  - A. Performing all of the duties and responsibilities of the state board as defined in the Workforce Investment Act, 29 United States Code, Section 2801, including, but not limited to, the duties and responsibilities set forth in subsection 5-D;
  - B. Recommending to the Governor a state workforce development plan designed to maximize utilization and effectiveness of state workforce development services;
  - C. Monitoring agency and system-wide strategic goals based on the statewide workforce development policy and strategic plan and evaluating progress toward meeting those goals;
  - D. Providing recommendations to the Governor and the Legislature that would

improve system effectiveness and reduce system fragmentation;

- E. Creating greater coordination between economic development and human resource development and education programs;
- F. Ensuring a balance between rural and urban workforce development;
- G. Providing policy oversight and recommendations to ensure the effectiveness of vocational programs for people with disabilities in order to support efforts that reduce barriers to employment;
- H. Providing policy oversight and recommendations to ensure that self-employment, microenterprise and small business are part of the overall workforce development strategy;
- I. Providing policy recommendations to ensure the effectiveness of work-related programs and services for youth, including youth with disabilities; and
- J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth.
- **2. Membership.** The <u>council board</u> consists of members appointed by the Governor.
  - B. Appointments must be consistent with the representation requirements of the Workforce Investment Act, including representatives from business and industry, organized labor, state agencies responsible for human resource programs and educational and community-based institutions.

The Governor shall ensure that the <u>councilboard</u> and <u>its technical support groupthe</u> <u>Program Policy Committee under subsection 7</u> have sufficient expertise to effectively carry out the duties and functions of the <u>councilboard</u>.

- **3. Terms of members.** One third of the initial appointees shall serve for a one-year term, 1/3 of the initial appointees shall serve for a 2-year term and 1/3 shall serve for a 3-year term. All subsequent appointees shall serve 3-year terms.
- **4. Chair and vice-chair.** The Governor shall appoint a chair and vice-chair from the membership of the <u>councilboard</u> to serve for a one-year term. The Governor may reappoint members to serve as chair or vice-chair.
- **5-A. Apprenticeship.** In addition to its other duties, the council, through its Standing Committee on Apprenticeship, shall perform the duties of the former State Apprenticeship and Training Council.
  - A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.
    - (1) "Apprentice" means a person at least 16 years of age who is employed

under an apprenticeship agreement to work at and learn a specific occupation and is registered with the council.

- (2) "Apprentice agreement" means a written agreement that is entered into by an apprentice or organization of employees with an employer or an association of employers and provides for the apprentice's participation in a definite sequence of job training and for such related and supplemental instruction as may be determined necessary for the apprentice to qualify as a journeyman in a particular occupation.
- (3) "Committee" means the council's Standing Committee on Apprenticeship.
- (4) "Journeyman upgrading" means continued related instruction advocated for by a sponsor, including joint apprenticeship and training committees or employers, for an individual who has fulfilled a bona fide apprenticeship as determined by the committee. Enrollment criteria are established by the committee.
- (5) "Sponsor" means an employer or a potential employer.
- B. The committee is composed of 12 voting members appointed by the Governor and made up as follows: 4 members must be representatives of employees and be bona fide members of a recognized major labor organization; 4 members must be representatives of employers and be bona fide employers or authorized representatives of bona fide employers; and 4 members must be representatives of the public, selected from neither industrial employers nor employees, nor may they be directly concerned with any particular industrial employer or employee. At least 2 members who are representatives of the public must represent the interests of women, minorities and recipients of aid to families with dependent children who are in registered apprenticeships. Each member holds office until a successor is appointed and qualified, and any vacancy must be filled by appointment for the unexpired portion of the term. The chair of the committee must be a member of the committee and is named by the members of the committee. The Commissioner of Labor or a designee, the Commissioner of Economic and Community Development or a designee, the Commissioner of Education or a designee, the chair of the council or a member designee and the President of the Maine Community College System or a designee are nonvoting ex officio members of the committee.

#### C. The committee shall:

- (1) Establish standards, through joint action of employers and employees, assist in the development of registered apprenticeship programs in conformity with this subsection and generally encourage and promote the establishment of registered apprenticeship programs;
- (2) Register or terminate, or cancel the registration of, apprenticeship programs

and apprenticeship agreements, including journeyman upgrading;

- (3) Authorize and issue certificates of completion of apprenticeship to apprentices who have been certified by a joint apprenticeship committee or employer as having satisfactorily completed their training;
- (4) Keep a record of registered programs and apprentice agreements, including the number of women and minority apprentices by occupation and the number of occupations that are nontraditional for women;
- (5) Adopt rules necessary to carry out the intent and purpose of this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A;
- (6) Make an annual report by March 1st of each year to the Governor, the joint standing committee of the Legislature having jurisdiction over labor matters, the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over business and economic development matters. The report must include, for each business assisted under this subsection, the name and location of each business, the number of apprentices, the return on investment and, when applicable, the number of new jobs created;
- (7) Ensure availability and oversee coordination of related and supplemental instruction for apprentices; and
- (8) Develop a biennial plan in consultation with the Department of Labor and develop an evaluation tool and process that facilitates a review of the apprenticeship program outcomes based on the committee's biennial goals and objectives. As a result of this process, the committee may initiate programs that promote apprenticeship and work force development.
- D. Committee meetings are held quarterly and as often as is necessary in the opinion of a majority of the committee. The chair shall designate the time and place of the meetings and the staff shall notify all committee members at least one week in advance of each meeting. A majority of the membership of the committee constitutes a quorum, as long as each of the groups in paragraph B has at least one representative present.
- E. Standards for apprentice agreements must contain the following:
  - (1) A statement of the occupation to be taught and the required hours for completion of apprenticeship;
  - (2) A statement of the major work processes in the occupation to be taught and the approximate amount of time to be spent at each process;

- (3) A statement of educational subjects to be studied and mastered, including on the job training work experience. An agreement must state the number of hours required to complete an apprenticeship and indicate the approximate number of hours spent in each process and each training component;
- (4) A statement that the apprentices may not be less than 16 years of age;
- (5) A statement of the progressively increasing scale of wages to be paid the apprentice;
- (6) A period of probation during which the committee shall terminate the apprentice agreement upon the written request of any party to the apprentice agreement. After the probationary period, the committee may terminate the registration of an apprentice upon agreement of the parties;
- (7) A statement that, when differences arising out of the apprentice agreement can not be adjudged locally or in accordance with the occupation's established procedures, the services of the committee may be used for consultation regarding the settlement of the differences;
- (8) A statement that if an employer is unable to fulfill its obligation under the apprentice agreement, the employer may transfer the obligation to another employer;
- (9) A statement that there may be no discrimination based on sex, race, creed or color in employing apprentices; and
- (10) Additional standards as may be prescribed in accordance with this subsection.
- F. The committee may establish local, regional and state joint apprenticeship committees in any occupation or group of occupations, in cities, regions of the State or occupation areas whenever the apprentice training needs of the occupation or group of occupations justify the establishment. These local, regional or state joint apprenticeship committees are composed of an equal number of employer and employee representatives, selected by the respective local or state employer and employee organizations in the occupation or group of occupations, and any advisory members representing local boards or other agencies as may be advisable. Each local, regional or state joint apprenticeship committee must include an even number of voting members with expertise in issues related to women, minorities or recipients of aid to families with dependent children who are in apprenticeships, 1/2 to be chosen by the employer representatives and 1/2 to be chosen by the employee representatives. In an occupation or group of occupations in which there is no bona fide employer or employee organization, a joint apprenticeship committee may be composed of persons known to represent the interests of employers and of

employees, or a state joint apprenticeship committee may be approved as the joint apprenticeship committee in that occupation or group of occupations. Subject to the review of the committee and in accordance with standards established by the committee, the joint apprenticeship committees may devise standards for apprenticeship agreements and give necessary aid to their respective occupations and localities. The activities of the joint apprenticeship committees must comply with all applicable affirmative action rules adopted by the committee.

- G. This subsection, or any apprentice agreement approved under this subsection, does not invalidate an apprenticeship provision in a collective bargaining agreement between employers and employees that sets up higher apprenticeship standards. None of the terms or provisions of this subsection applies to any person, firm, corporation or craft unless the person, firm, corporation or craft voluntarily elects to be subject to the terms and provisions of this subsection.
- H. In carrying out its duties on a state level, the committee shall employ personnel in the Department of Labor, Bureau of Employment Services.
  - (1) The Bureau of Employment Services must have a director of apprenticeship and training who supervises the execution of agreements and the maintenance of standards.
  - (2) The Bureau of Employment Services shall keep a record of apprentice agreements and programs and ensure that all aspects of related and supplemental instruction are delivered and coordinated in a timely manner.
  - (3) Apprenticeship field staff may be retained by agreements between the Bureau of Employment Services and its service provider network. Field staff are responsible for promoting apprenticeships to employers, writing apprenticeship programs and carrying out delegated council duties.
  - (4) The committee's budget request must be incorporated into the overall budget of the Department of Labor.
  - (5) The Commissioner of Labor is ultimately responsible for selecting and supervising all personnel employed by the committee, providing adequate staff support to the committee and disbursing funds according to committee policy.
- I. The Maine Community College System remains the primary vendor for apprenticeship-related instruction according to a biennial articulation agreement with the Department of Labor.
  - (1) The committee shall cooperate with the Department of Education, local school authorities, such as adult education and career and technical education centers, and other groups in organizing and establishing related or supplemental instruction for apprentices employed under approved agreements.

- (2) An educational institution or apprenticeship sponsor may provide related and supplemental instruction according to the policies established by the committee. Educational providers shall identify a contact person for the committee staff. As funds permit, the Department of Labor shall underwrite 50% of tuition costs for apprentices in good standing at public educational institutions and provide tuition assistance to sponsor groups in accordance with committee policies. To ensure that adequate funds are available for tuition, the committee shall provide the Commissioner of Labor with its biennial plan, including projected apprenticeship enrollments and a subsequent budget request.
- (3) The committee shall assist the Department of Education, the State's community colleges, local school authorities, such as adult education and career and technical education centers, and other groups in developing training courses to establish preapprenticeship training programs if the community colleges, local schools and other groups wish to do so. Successful completion of preapprenticeship training programs enables a participant to meet the qualifying standards of the apprenticeship for which the participant has expressed serious interest. All preapprenticeship training programs are subject to approval by the committee.
- J. The committee shall cooperate with the Department of Labor and the Department of Economic and Community Development in matters relating to work force and economic development.
- K. The committee shall cooperate and consult with the Department of Corrections to develop policies concerning issues of job safety for prisoners involved in prison industries programs, work release programs and job displacement created by those programs and to develop opportunities for jobs in the prison industries programs consistent with Title 34 A, section 1403, subsection 9.
- L. The committee shall cooperate, consult and coordinate with groups that help people on welfare find jobs. The committee shall also cooperate with other relevant groups to identify obstacles that may prevent women and recipients of aid to families with dependent children from participating in registered apprenticeships, and the necessary measures to be taken to overcome them.
- M. Committee field staff are responsible for identifying and contacting potential sponsors with whom apprenticeship programs may be developed. Staff may receive business referrals from a variety of sources, including, but not limited to, local work force development centers, business visitation programs, local chambers of commerce, the Department of Economic and Community Development and the Department of Labor's Employer Assistance Division. Staff and committee members may regularly conduct presentations to employer groups, schools and other interested parties and develop brochures, public service announcements and promotional videotapes for the purpose of promoting apprenticeship.
- N. Committee staff may provide apprenticeship sponsors with technical assistance

that encourages high-quality job creation, reorganizes a workplace to help it remain competitive, upgrades worker skills by providing essential work competencies, occupational task analysis and instructor training and encourages affirmative action and recruitment of special populations.

- O. All apprentice and training programs established under this subsection must conform to 29 Code of Federal Regulations, Parts 29 and 30, and any subsequent applicable provisions. The Federal Bureau of Apprenticeship and Training is available as a resource to the committee.
- **5-B. Employment of people with disabilities.** In addition to its other duties, the <u>councilboard</u>, through its Standing Committee on Employment of People with Disabilities, <u>created pursuant to subsection 7</u>, <u>paragraph A</u>, <u>subparagraph (3)</u> referred to in this subsection as <u>the</u> "<u>the standing</u> committee," shall perform the duties of the former Governor's Committee on Employment of People with Disabilities.

#### A. The standing committee shall:

- (1) Advise, consult and assist the executive and legislative branches of State Government on activities of State Government that affect the employment of disabled individuals. The <u>standing</u> committee is solely advisory in nature. The <u>standing</u> committee may advise regarding state and federal plans and proposed budgetary, legislative or policy actions affecting disabled individuals;
- (2) Serve as an advocate on behalf of disabled citizens promoting and assisting activities designed to further equal opportunity for people with disabilities;
- (3) Conduct educational programs considered necessary to promote public understanding of the <u>employment-related</u> needs and abilities of disabled citizens of this State;
- (4) Provide information, training and technical assistance to promote greater employer acceptance of disabled workers;
- (5) Advise and assist employers and other organizations interested in developing employment opportunities for disabled people; and
- (6) Work with state and local government officials, organizations representing persons with disabilities and the business community to inform the public of the benefits of making facilities and services accessible to and usable by individuals with disabilities; monitor the enforcement of state and federal laws regarding accessibility; and advise and assist building owners by disseminating information about accessibility and by making technical assistance available when appropriate.
- B. The <u>standing</u> committee shall administer in accordance with current fiscal and accounting regulations of the State, and in accordance with the philosophy,

objectives and authority of this subsection, any funds appropriated for expenditure by the <u>standing</u> committee or any grants or gifts that may become available and are accepted and received by the <u>standing</u> committee.

- C. The <u>standing</u> committee shall submit an annual report directly to the Governor and the Legislature not later than September 1st of each year concerning its work, recommendations and interest of the previous fiscal year and future plans. The standing committee shall make any interim reports it considers advisable.
- D. The <u>standing</u> committee shall keep minutes of all meetings, including a list of people in attendance.
- E. The <u>standing</u> committee may employ, subject to the Civil Service Law, the staff necessary to carry out its objectives. The <u>standing</u> committee may employ consultants and contract for projects it determines necessary. To the extent feasible and reasonable, the <u>standing</u> committee must be given the staff, facilities, equipment, supplies, information and other assistance required to carry out its activities.
- F. The <u>standing</u> committee may make necessary rules, <u>not inconsistent</u> with this subsection, for promoting its purposes.
- G. The <u>standing</u> committee may receive and accept, from any source, allocations, appropriations, loans, grants and contributions of money or other things of value to be held, used or applied to carry out this subsection, subject to the conditions upon which the loans, grants and contributions may be made, including, but not limited to, appropriations, allocations, loans, grants or gifts from a private source, federal agency or governmental subdivision of the State or its agencies.
- **5-C.** Occupational information. In addition to its other duties, the council shall perform the duties of the former Maine Occupational Information Coordinating Committee.

#### A. The council shall:

- (1) Support the development, maintenance and operation of the Comprehensive Career, Occupational and Economic Data based System, established in section 1451, and foster communication and coordination of education, employment and training programs through the use of the system;
- (2) Develop and implement an overall system for coordinating and delivering occupational and economic supply and demand information, using standardized techniques as feasible, to employment, training, career and technical education and vocational rehabilitation agencies; economic development agencies; private industry; and individuals;
- (3) Facilitate the use of occupational and economic information in planning and allocating employment, training, career and technical education and vocational

#### rehabilitation programs;

- (4) Facilitate the use of career and occupational information in both school and nonschool settings through promotion and support of career education programs and activities;
- (5) Provide the Governor with the comprehensive occupational and economic information required to improve the coordination of employment, training, eareer and technical education and vocational rehabilitation programs to meet commonly defined needs; and
- (6) Recommend to the Governor legislative and executive initiatives designed to increase the utility of the Comprehensive Career, Occupational and Economic Data based System as the system relates to a more effective coordination of employment, training, career and technical education and vocational rehabilitation programs, especially as these programs support economic development initiatives as the system relates to industrial recruitment and expansion efforts, and as the system relates to the delivery of career information to those involved in the career decision making process.
- B. The Executive Director of the Bureau of Employment Services may appoint, subject to the Civil Service Law, personnel authorized by the council and necessary to carry out the duties in this subsection.
- C. The council may accept gifts, grants or other money from any source and may enter into contracts, charge fees and make grants for services consistent with this subsection.
- **5-D. Workforce investment.** In addition to its other duties, the <u>council board</u> shall perform the duties of the state board under the Workforce Investment Act, referred to in this subsection as "the Act."

#### A. The council board shall assist the Governor in:

- (1) Developing and continuously improving a statewide system of activities funded under the Act or carried out through a one-stop delivery system described in Section 134(c) of the Act including review of local plans and development of linkages to ensure coordination and nonduplication among the programs and activities with required and optional partners described in Section 121(b) of the Act;
- (2) Designating local areas as required in Section 116 of the Act;
- (3) Developing allocation formulas for the distribution to local areas of funds for youth activities and adult employment and training activities as allowed under Sections 133(b)(3)(B) and 128(b)(3)(B) of the Act;

- (4) Developing and continuously improving comprehensive state performance measures including state-adjusted levels of performance to assess the effectiveness of the workforce investment activities of the State as required under Section 136(b) of the Act;
- (5) Developing an application for an incentive grant under Section 503 of the Act;
- (6) Preparing an annual report to the United States Secretary of Labor as described in Section 136(d) of the Act;
- (7) Commenting on Evaluating measures taken pursuant to Section 113(b)(14) of the federal Carl D. Perkins Vocational and Applied Technology Education Act, 20 United States Code, Section 2323(b)(14); and
- (8) Developing the statewide statistics system described in Section 15(e) of the federal Wagner-Peyser Act, 29 United States Code, Section 491-2(e).
- B. The <u>council board</u> has the necessary authority to carry out the purposes of this section.
- C. The commissioner may appoint employees necessary to carry out the eouncil's board's responsibility under this subsection.
- D. The commissioner may adopt <u>routine technical</u> rules, in accordance with Title 5, chapter 375, <u>subchapter 2-A</u> necessary to carry out the <u>council'sboard's</u> responsibility under this subsection.
- **6. Powers.** The council shall have board has the necessary authority to carry out the purposes of this section.
- **7. Committee structure.** The <u>council board</u> has the following committee structure.
  - A. The council shall create 36 standing committees of up to 12 members. Each standing committee may include up to 8 noncouncil members appointed by the council chair and drawn from the same constituency groups as the council's membership. The standing committees shall make recommendations to the full council board. The 36 standing committees are as follows:
    - (2) School-to-work;
    - (3) Employment of people with disabilities; and
    - (4) Women's employment issues-:
    - (5) Older workers;

- (6) Veterans employment; and
- (7) The Program Policy Committee.
- B. The <u>eouncilboard</u> may also create additional committees to address specific problems and issues. These committees may consist of up to 12 members and may include up to 8 noncouncil members appointed by the council chair and drawn from the same constituency groups as the council's membership. These committees shall make recommendations to the full <u>council</u>board.
- C. The Governor shall appoint members to a technical support groupthe Program Policy Committee, referred to in this paragraph as "the committee," to assist the councilboard in the performance of its duties and responsibilities. The Governor shall appoint persons to serve on the technical support groupcommittee for 3-year terms. The services provided by the State's various workforce organizations must be fairly represented in the technical support groupcommittee with consideration given to a balance between rural and urban interests. Organizations with representation on the technical support groupcommittee may include, but are not limited to; organizations that conduct programs or activities as specified in Section 121(b) of the Workforce Investment Act.
  - (1) The local areas;
  - (2) Adult education;
  - (3) School-to-work;
  - (4) Providers that specialize in women's workforce issues;
  - (5) Rehabilitation providers;
  - (6) Welfare-to-work;
  - (7) The University of Maine System;
  - (8) The Maine Community College System;
  - (9) Career and technical education; and
  - (10) The Department of Economic and Community Development, the Department of Education, the Department of Health and Human Services, the Department of Labor and the State Planning Office.
- **8. Meetings.** The <u>council board</u> shall meet at such times and such places as it

considers necessary. The meetings must be publicly announced and open to the general public. A majority of members of the <u>council board</u> constitutes a quorum for the transaction of business.

**9. Administration.** The Department of Education and the Department of Labor shall jointly administer the <u>councilboard</u>. The Department of Labor is the fiscal agent for the <u>councilboard</u>. Pursuant to the Commissioner of Labor's authority under section 1401-B and to the Commissioner of Education's authority under Title 20-A, section 253, subsection 2, the Commissioner of Labor and the Commissioner of Education may designate employees they consider necessary to carry out the State's responsibility under this section.

The Commissioner of Education and the Commissioner of Labor are authorized to adopt joint rules as may be necessary to carry out the State's responsibility under this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter H-A2-A.

The <u>council board</u> shall establish bylaws for its governance. These bylaws are subject to the Governor's approval.

- **10. Compensation.** Members of the <u>council board</u> receive no compensation for their services. Reimbursement of necessary expenditures incurred in the performance of their duties on the <u>council board</u>, which are allowed by state law, are administered by the Department of Labor from federal or state appropriations.
- **Sec. 4. 26 MRSA §2033, sub-§4,** ¶**A,** as amended by PL 2007, c. 506, §2, is further amended to read:
  - A. The education or training provided through the program must be for employment in industries with significant demand for skilled labor that have been:
    - (1) Identified by the Center for Workforce Research and Information as providing opportunity for employment in jobs with high compensation;
    - (2) Recommended by the Maine Jobs CouncilState Workforce Investment Board; and
    - (3) Approved by the Governor or the Governor's designee.
- **Sec. 5. 35-A MRSA §10104, sub-§9,** as enacted by PL 2009, c. 372, Pt. B, §3, is amended to read:
- **9. Coordination with other entities.** Consistent with the requirements of this chapter and other applicable laws, the board shall coordinate with the activities and programs of state agencies and authorities that relate to the purposes of this chapter in order to align such activities and programs with the plans and programs of the trust. For purposes of this subsection, activities and programs of state agencies and authorities that

relate to the purposes of this chapter include but are not limited to energy efficiency programs relating to state facilities administered by the Department of Financial and Administrative Administrative and Financial Services, Bureau of General Services, the adoption, amendment and maintenance of the Maine Uniform Building and Energy Code by the Technical Building Codes and Standards Board, established in Title 5, section 12004-G, subsection 5-A within the Department of Public Safety, energy efficiency or green energy workforce development activities of the Department of Labor or the Maine Jobs CouncilState Workforce Investment Board and energy efficiency and weatherization programs administrated by the Maine State Housing Authority.

Effective 90 days following adjournment of the 125th Legislature, Second Regular Session, unless otherwise indicated.

#### **ATTACHMENT 7**

Individual and Combined Roles and Responsibilities of the LWIB and CLEOs							
Under the Workforce Investment Act*							
Local Elected Official (LEO)	Shared	WIA Board					
<ol> <li>Assume liability for funds</li> <li>Request designation of workforce investment area</li> <li>Designate the WIA Fiscal Agent</li> <li>Appoint Board members in accordance with LEO agreement</li> <li>Select a Chief Local Elected Official to represent them</li> <li>Approve the LWIB budget</li> </ol>	<ol> <li>Develop budget for funds allocated through the WIA grant administrative entity</li> <li>Submit a 5-year Local Plan to qualify for receipt of Workforce Investment Act Title I program funds</li> <li>Select service providers for core and intensive program services for adult and dislocated workers</li> <li>Approve transferring a maximum 20% between the adult and dislocated worker WIA Title I program funds</li> <li>Clarify roles and responsibilities of board staff, fiscal agent, service provider, One-Stop Center or System Operators, and youth council and how interaction will occur among these parties</li> <li>Designate or certify (a) One-Stop System or Center Operator(s)</li> <li>Establish policies for services</li> <li>Approve Memorandums of Understanding</li> <li>Negotiate and reach local performance measures for WIA Programs</li> <li>Monitor programs for implementation of federal, state and local policies/procedures to ensure compliance Designate/determine staff support services for the LWIB including Youth Council</li> <li>Appoint youth council as a subgroup of the Local Board and coordinate workforce and youth plans and activities with the youth council.</li> <li>Negotiate local performance measures with CLEO &amp; Governor</li> <li>Assist in developing Statewide employment statistics system</li> <li>Ensure effective connecting, brokering and coaching activities to assist employers</li> <li>Coordinate activities with economic development and employers</li> </ol>	<ol> <li>Identify, select and certify eligible training providers for adult &amp; dislocated workers within the Workforce Investment Area</li> <li>Select and certify eligible youth providers on the youth council's recommendation</li> <li>Assist Governor to develop the statewide employment statistic system</li> <li>Coordinate workforce investment activities with economic development strategies plus develop employer linkages</li> <li>Promote private sector involvement in the statewide workforce investment system</li> <li>Conduct business in an open and public manner by making available to the public, on a regular basis, the plans, operations and performance record of the Workforce Investment Area.</li> <li>Negotiate with local service providers to create and implement a MOU that includes a description of the local workforce development system, agreed upon service standards, partner responsibilities, and performance expectations</li> </ol>					

st Note: This chart is meant as an overview and not a complete description of responsibilities.

	FISCAL AGENT		AT THE DIRECTION OF THE BOARD
1.	Receive funds	1.	Procure contracts or obtain written agreements
2.	Ensure accountability for expenditures of funds in	2.	Disburse funds for Salaries, Contracts, Wages,
	accordance with 0MB Circulars, Federal Regulations		Vouchers
	and State policies	3.	Conduct financial monitoring of service provider
3.	Sign contracts	4.	Ensure independent audit of all Employment and
4.	Respond to audit financial findings		Training programs
5.	Maintain proper accounting records and adequate		
	documentation		
6.	Prepare financial reports		
7.	Provide technical assistance to sub-recipients regarding		
	fiscal issues		

## By Laws of the State Workforce Investment Board

#### Article I Name and Mission

**Section 1. Name** The name of the organization is the "State Workforce Investment Board" (SWIB).

**Section 2. Goal** The goal of the SWIB is to "ensure that the State's workforce development system helps Maine people and businesses compete successfully in the global economy" (Title 26 M.S.R.S. Section 2006).

#### **Section 3. Mission** The SWIB achieves its goals by:

- a) Recommending policy actions to both public and private institutions and creating coalitions to achieve their implementation.
- b) Working with workforce development system partners to integrate workforce development into the decision-making of business people, economic developers, educators and human resource professionals.
- c) Raising public awareness of the importance of workforce development for Maine's economic future.
- d) Ensuring public accountability by evaluating the effectiveness of the overall workforce development system.

**Section 4. Authorization** The SWIB is authorized under Maine Law (Title 26 M.S.R.S. Sections 2004 to 2006).

**Section 5. Annual report** The SWIB shall make an annual report to the Governor and Legislature at the beginning of each calendar year describing the state of Maine's workforce, and making recommendations for public and private action related to workforce development. This report shall also address annual report requirements in state law for disabilities, apprenticeship, the Workforce Investment Act, and youth.

**Section 6. Cabinet participation** The Commissioner of the Maine Department of Labor shall be primarily responsible for the staffing and operations of the SWIB. The Commissioner of the Maine Department of Education, and the Commissioner of the Maine Department of Economic and Community Development, shall appoint representatives to serve on their behalf on the SWIB, and shall work closely with the Commissioner of the Maine Department of Labor in supporting the SWIB and in implementing its policy recommendations.

## Article II Powers

The powers of the SWIB include:

- Performing all of the duties and responsibilities of the State Workforce Investment Board as defined in the United States Workforce Investment Act of 1998, United States Code, Title 1, Section 111;
- Overseeing the Apprenticeship Subcommittee in its planning and guidance of apprenticeship programs in Maine
- Overseeing the Commission on Disability and Employment in its research, reporting, and recommendations;
- Overseeing the work of its other statutorily authorized subcommittees (women, veterans, older workers and youth transitions), and any other ad hoc subcommittees it authorizes.
- Advising the Governor and Legislature on the full range of issues related to workforce development.

## Article III Members of the SWIB

**Section 1. Appointment.** The Maine Governor shall appoint all members of the SWIB.

**Section 2. Terms** The Governor may appoint members for one, two, or three years in order to stagger arrivals and departures. There is no limit to the number of terms of office a member may serve.

**Section 3. Representation** Members shall be appointed to include: All required partners and programs according to the Workforce Investment Act, Title I, subtitle B, chapter 1, section 111.

- The Governor
- Representatives of businesses
- Two members of each chamber of the state legislature (Ex-Officio/non voting)
- Chief Local Elected Officials
- Representatives of Labor Organizations
- Individuals or organizations with experience with respect to Youth Programs
- Individuals with experience in the delivery of workforce investment activities including Community Based Organizations
- State agencies and programs representing required partners listed in the Workforce Investment Act, Title I, subtitle B, chapter 3, section 121.

At least 51% of all members should either be business people or represent the business community.

The Governor may appoint as many members as are needed to fulfill the duties of the SWIB, and to meet applicable federal and state laws.

- **Section 4. Removal** If a Board member fails to attend more than two meetings, or otherwise fails to contribute to the work of the SWIB over a 12-month period, the Chair of the SWIB, in consultation with the Commissioner of the Maine Department of Labor, may remove the member from the SWIB.
- **Section 5. Replacement** If a Board member resigns or must otherwise be replaced, the new appointment shall follow the same procedure as that described in Section 1 above. The newly appointed member shall fill out the remainder of the departing member's term.

# Article IV Meetings of the SWIB

- **Section 1. Attendance** SWIB members are required to attend SWIB meetings. If they are unable to be present in person, members may attend the meeting by teleconference, web-based technology, or interactive television. Members may attend by designating a proxy, if they have notified in advance the Chair of the SWIB or the SWIB Director.
- **Section 1. Annual meeting** There shall be an annual meeting at which time the SWIB shall receive an update on progress that has been made in the past year on workforce issues. Workshops and educational programs will be held, and the SWIB shall take any official actions that are needed with regard to the Workforce Investment Act and other state and federal programs.
- **Section 2. Policy meeting** There shall be a policy meeting, at which time the SWIB will receive an update on workforce development issues in Maine, and at which time the SWIB shall set broad policy goals for the coming year.
- **Section 3. Special meetings** Other special meetings may be called from time to time by the Chair, in consultation with the Commissioner of the Maine Department of Labor.
- **Section 4. Announcements** Meeting notices for the SWIB and all of its Committees shall be posted on the SWIB web site (<a href="http://www.state.me.us/labor/mjc/">http://www.state.me.us/labor/mjc/</a>) at least two weeks prior to the meeting. In addition, electronic mail to members, interested parties, and press will be sent out at least two weeks before any meeting of the full Council or its Committees. Any member of the public can be put on this mailing list upon request.
- **Section 5. Quorum** A quorum for taking action shall be 50% of appointed members. At least 50% of the quorum shall be representatives of the business community.
- **Section 6. Decisions** Decisions shall be made by a vote of the majority present.

**Section 7. Procedural rules** Decision-making votes shall be conducted according to Robert's Rules of Order. Educational and informational portions of meetings shall be conducted according to the preference of the Chair, in consultation with the Commissioner of the Maine Department of Labor.

Section 8. **Methods of Voting** Votes shall be taken by a show of hands, voice vote, or roll call at SWIB meetings. SWIB members attending a meeting by telephone conference call, internet streaming, interactive television, or other media that allow participation by an off-site presence shall have their votes taken and counted through those media. At the discretion of the Chair, votes submitted by other media, including ground mail, email, text messaging, or social networking will be considered valid and shall be counted. The Chair can also call for a vote using those media between regularly scheduled meetings. The SWIB can impose a limit on the period of time members have to submit their votes by those media.

Section 9. **Proxy Votes** SWIB members may designate a proxy to vote for them in the event they are unable to attend a meeting. The proxy must be designated prior to the meeting by informing the Chair or Director

**Section 10. Participation of non-members** All SWIB meetings and meetings of Committees are open to the public. The Chair shall provide opportunities for non-SWIB members to speak on issues of concern at each meeting, as each issue is discussed, according to the Chair's discretion.

Section 11. Conflict of interest A conflict of interest arises when a Board member, any member of that individual's (or partner's) immediate family; or an organization which employs (or is about to employ) any of the above, has a financial or other interest in a firm or organization selected for an award, grant, or contract by the SWIB. Members of the SWIB shall not cast votes nor participate in any decision-making capacity on the provision of services by such member (or any organization which that member represents), nor on any matter which would provide financial benefit to that member. Members who violate this standard of conduct will be disciplined by exclusion from the SWIB meetings for a period of 9 months.

**Section 12. Minutes** Minutes for each meeting shall be recorded by staff to the SWIB, and brought to the next public meeting for approval.

# Article V Officers of the SWIB

**Section 1. Principal officers** The principal officers shall be a Chair and a Vice-chair.

**Section 2. Eligibility** The Chair must be either a Maine business owner or manager, or a representative of a Maine business organization.

**Section 3.** Appointment The Governor shall appoint both the Chair and Vice-chair.

**Section 4. Term** The Chair and Vice-chair shall serve for one, two, or three-year terms, as determined by the Governor.

Section 5. Duties The Chair, in consultation with the Commissioner of the Maine Department of Labor, shall call meetings of the full SWIB, set agendas for those meetings, and preside at such meetings. The Chair may also remove members of the SWIB who have not participated in any meeting or otherwise contributed to the work of the Board over a 12-month period. The Vice-chair shall perform the duties of the Chair in the event that the Chair is absent, resigns, or is unable to perform his or her duties.

**Section 6. Resignations and vacancies** Any officer of the board may resign his or her position by notifying the Commissioner of the Maine Department of Labor. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Commissioner. Any vacancy in any office may be filled by the Governor.

## Article VI Committees of the SWIB

**Section 1. Types** The SWIB shall have five types of Committees: an Executive Committee, a Program Policy Committee, Statutory Committees, Ad hoc Committees, and Temporary Committees. The nature of each is described below.

#### **Section 2. Executive Committee**

- a) **Defined** The Executive Committee acts on behalf of the SWIB
- b) **Function** The Executive Committee makes decisions and takes actions on behalf of the SWIB.
- c) Authority The Executive Committee has the authority to schedule full SWIB meetings, and other meetings necessary to make decisions of a time sensitive nature or urgent nature in all matters except such as are restricted by statute or these bylaws to the full SWIB. Normal business will be conducted at the quarterly SWIB meetings. The Executive Committee will survey the membership to gather feedback to take action between meetings.
- d) **Members** The Governor, the Chair of the SWIB, and the Vice-Chair of the SWIB are the members of the Executive Committee.
- e) **Member responsibilities** The Executive Committee members are responsible for attending regular and Executive Committee meetings, reading materials and staying informed, and by promoting the SWIB's workforce goals and policies.
- f) Chair The Governor shall be the Chair of the Executive Committee.
- g) **Meetings** Meetings shall be called as needed on an urgent or time sensitive basis. The Executive Committee shall notify the full SWIB that it will be meeting and/or making a decision of an urgent or time sensitive nature.
- h) **Staff** The Director of the SWIB shall staff the Executive Committee.

## **Section 3. Program Policy Committee**

- a) **Function** The Program Policy Committee does the detailed work on analyses, reports, and recommendations for workforce development in Maine; and coordinates the work of other SWIB subcommittees.
- b) **Authority** The Program Policy Committee is responsible for assisting in the preparation of the annual report to the Governor and Legislature; developing recommendations for the Governor, Legislature, Cabinet Commissioners, and others; monitoring the performance of the workforce development system in Maine; and receiving and acting upon reports and recommendations received from other SWIB Committees.
- c) **Members** Members shall be drawn from the required partners and programs listed in the Workforce Investment Act, Title I, subtitle B, chapter 3, section 121.
  - Wagner-Peyser Act
  - Adult Education and Literacy
  - Title I of the Rehabilitation Act of 1973
  - Section 403(a)5 of the Social Security Act
  - Title V of the Older Americans Act of 1965
  - Carl D. Perkins Vocational and Technology Education Act
  - Chapter 2 of Title II of the Trade Act of 1974
  - Chapter 41 of Title 38, United States Code
  - Employment and Training Activities carried out under the Community Services Block Grant
  - Employment and Training Activities carried out by the Department of Housing and Urban Development
  - Programs authorized under State unemployment compensation laws
- d) **Appointment** Members shall be appointed jointly by the SWIB Chair and the Commissioner of the Maine Department of Labor, and shall serve for one year from that appointment. Members may be reappointed as often as the Chair and Commissioner desire.
- e) **Member responsibilities** Members are responsible for attending meetings, reading materials and staying informed, and promoting workforce goals in other settings. Members may advocate for policies that have been rejected or not adopted by the full Program Policy Committee, but must make it clear in such cases that they are not speaking as members of the SWIB.
- f) Chair The Chair of the Program Policy Committee shall be appointed by the Chair of the SWIB and the Commissioner of the Maine Department of Labor, under the same procedures as other members (part d above). The Program Policy Committee Chair, in consultation with the SWIB Chair and SWIB staff shall set meeting dates, agendas, and conduct meetings.
- g) **Meetings** Meetings shall be called as frequently as is needed. Meetings shall be conducted according to the same decision-making procedures as the SWIB. A quorum for taking action shall be 50% of appointed Program Policy Committee

- members. Program Policy Committee members will be represented by the vote of the Program Policy Committee Chair in actions taken by the SWIB.
- h) **Staff** The Maine Department of Labor shall provide staff to support the Program Policy Committee's work.

## **Section 4. Statutory Committees**

- a) **Defined** Statutory committees are those Committees of the SWIB that are required by law. Statutory committees include: (1) Apprenticeship; (2) School-towork; (3) Commission on Disability and Employment; (4) Women's employment issues; (5) Older Workers; (6) Veterans Employment and (7) Program Policy Committee.
- b) **Function** Statutory Committees conduct detailed policy analysis and project coordination within their areas of expertise.
- c) **Authority** Statutory Committees have the authority to perform the functions described in Maine law. All policy recommendations and public outreach activities from Statutory Committees must be forwarded to the SWIB for final action.
- d) Members Non SWIB members may serve on each Committee.
- e) **Appointment** Members shall be appointed jointly by the Chair of the SWIB and the Commissioner of the Maine Department of Labor, and shall serve for one year from that appointment. Members may be reappointed as often as the Chair and Commissioner desire.
- f) **Member responsibilities** Members are responsible for attending meetings, reading materials and staying informed, and by promoting workforce goals in other settings. Members may advocate for policies that have been rejected or not adopted by the full Statutory Committee, the SWIB or the Program Policy Committee, but must make it clear in such cases that they are not speaking as members of the SWIB.
- g) **Chair** The Chairs of the Statutory Committees shall be appointed by the Chair of the SWIB and the Commissioner of the Maine Department of Labor, under the same procedures as are described above. The Statutory Committee Chairs, in consultation with their staff, shall set meeting dates, agendas, and conduct meetings.
- h) **Meetings** Meetings shall be called as frequently as is needed. Meetings shall be conducted according to the same quorum and decision-making procedures as the SWIB Program Policy Committee, with the exception of the Apprenticeship Committee, which must have a majority of its members and all groups (Management, Labor and Public) represented.
- i) **Staff** The Maine Department of Labor shall provide staff to the Apprenticeship, Women's Employment Issues, and Commission on Disability and Employment Committees. The Maine Department of Education shall provide staffing for the School-to-Work subcommittee.
- j) **Removal** If a Statutory Committee member fails to attend more than two meetings, or otherwise fails to contribute to the work of the SWIB over a 12-

- month period, the Chair of the Committee, in consultation with the Chair of the SWIB, may remove the member from the Committee.
- k) **Methods of Voting** The same methods of voting permitted for the SWIB under Article IV in these bylaws are also permitted for the Statutory Committees.
- l) **Proxy Votes** The same provisions on proxy votes that are applied to the SWIB under Article IV in these bylaws are also applied to Statutory Committees.
- m) **Attendance** The same methods of attendance permitted for the SWIB under Article IV these bylaws for the SWIB are permitted for the Statutory Committees.
- n) Commission on Disability and Employment In any case where Sec. 3. 26 MRSA §2006, sub-§5-B conflicts with these bylaws, the statute's authority will supersede that of these bylaws.

## Section 5. Ad hoc Committees

- i) **Defined** Ad hoc Committees are those Committees of the SWIB that are not required by law.
- j) **Established** Ad hoc Committees shall be established by a vote of the SWIB.
- k) **Function** Ad hoc Committees do detailed policy analysis and project coordination within their areas of expertise.
- Authority Ad hoc Committees have the authority to perform the functions described in Maine law. All policy recommendations and outreach activities from Ad hoc Committees must be forwarded to the SWIB for final action.
- m) Members At least one member of each Ad hoc Committee shall be drawn from the SWIB; additional non-SWIB members may serve on Ad hoc Committees.
- n) **Appointment** Members shall be appointed jointly by the Chair of the SWIB and the Commissioner of the Maine Department of Labor, and shall serve for one year from that appointment. Members may be reappointed as often as the Chair and Commissioner desire.
- o) Member responsibilities Members are responsible for attending meetings, reading materials and staying informed, and by promoting workforce goals in other settings. Members may advocate for policies that have been rejected or not adopted by the full Ad hoc Committee, the SWIB or the Program Policy Committee, but must make it clear in such cases that they are not speaking as members of the SWIB.
- p) Chair The Chairs of the Ad hoc Committees shall be appointed by the Chair of the SWIB and the Commissioner of the Maine Department of Labor, under the same procedures as are described above. The Ad hoc Committee chairs, in consultation with their staff, shall set meeting dates, agendas, and conduct meetings.
- q) Meetings Meetings shall be called as frequently as is needed. Meetings shall be conducted according to the same quorum and decision-making procedures as the SWIB Program Policy Committee.
- r) **Staff** Each Ad hoc Committee shall make its own staff arrangements. The Maine Department of Labor is not expected to provide staff to Ad hoc Committees.

**Section 6. Temporary Committees** From time to time the Chair of the SWIB, in consultation with the Commissioner of the Maine Department of Labor, may set up a time-limited Committee to work on a particular task. Such Temporary Committees may have any structure, but shall serve strictly in an advisory capacity to the SWIB.

**Section 7. Apprenticeship Committee** The Apprenticeship Committee is not a standing committee of the SWIB. The Apprenticeship Committee shall cooperate, consult, and coordinate with workforce development entities and maintain a collaborative partnership with the SWIB, providing policy analysis and project coordination within its area of expertise. Pursuant to 26 MRSA, Chapter 37, §3209, The Apprenticeship Committee will represent the Maine Apprenticeship Program to the SWIB, and upon the request of the SWIB, the Apprenticeship Committee will cooperate on developing and implementing the state workforce development strategic plan. The SWIB will designate a staff person or member to attend Apprenticeship Committee meetings and act as a liaison between the SWIB and the Apprenticeship Committee.

# Article VII Approval and Amendments

**Section 1. Governor's approval** In accordance with Maine law, the Governor of Maine must approve the by-laws of the SWIB before they can become effective.

**Section 2. Adoption and Amendment** These by-laws shall be adopted, and may be amended, by the SWIB. Amendments must be approved by a vote of the SWIB membership.

## CHAMBER REGIONS - SAMPLE OF ACTIVITIES FOR THE YEAR

- Conduct four quarterly regional meetings to which all system stakeholders\*, interested parties and especially the business community are invited.

The agenda would include:

- a review of performance measures for the region;
- updates on regional activity including program updates;
- a discussion about the workforce development needs of the region's business community;

The local CareerCenter Manager and the DECD Account Executive will provide technical assistance and support to the regional Chamber Executives. The meeting information would be recorded, and reported to the SWIB. Some of the issues identified will be best addressed locally, while other issues will require policy or programmatic work at the state-wide level. There could also be a request for a sector specific meeting to assist with regional or state-wide Industry Partnerships.

- Dissemination of workforce development specific information in various media:
  - Print;
  - Electronic:
  - Websites:
  - New Member packages;
  - Member Visitation packages;
  - Other:
- Collaborative Events:
  - Speaking opportunities (breakfasts, workshops, Round Tables, ...);
  - Job Fairs (General as well as Targeted);
  - Other:
- Business Outreach:
  - Surveys (Annually, or as needed for current opportunities);;
  - Business Visitation;
  - Other;

<sup>\*</sup>System Stakeholders include County Commissioners, Service Providers, Economic Development Organizations, Educational Institutions, Community Based Organizations, Department of Labor, Department of Economic & Community Development, Municipal Officials, ...

#### **ATTACHMENT 10**

### BUREAU OF EMPLOYMENT SERVICES

POLICY AND PROCEDURES ISSUANCE DATE:	<b>January 25, 2006</b>
POLICY NUMBER:	06-01
RECISSION:	Replaces CareerCenter
	Informational Notice: 1

**To: Local Board Directors** 

From: Larinda L. Meade, Director

**Bureau of Employment Services** 

**CC:** CareerCenter Distribution

**Service Provider Directors** 

**BRS Director BES Hallowell** 

**SUBJECT: Individual Training Accounts** 

BACKGROUND

Under the Workforce Investment Act (WIA), Title I-B training services for adults and dislocated workers will be provided through Individual Training Accounts (ITAs). Youth training activities are not subject to the policy governing the issuance of ITAs.

The intent of this Act is to allow individuals to take an active role in managing their employment future through the use of ITAs. Adults and dislocated workers receiving training under this approach will receive information they need (e.g., skills assessment, labor market conditions and trends, training vendor performance) to make a self-informed choice about their own employment future and the training to support their decision.

The ITA is established on behalf of a registrant. An Individual Service Strategy (ISS) does not constitute an "obligation" of the ITA award. Using ITA funds, WIA Title I-B adults and dislocated workers purchase training services from eligible training providers they select in consultation with a Career Consultant. Payments from ITAs may be made in a variety of ways, including the electronic transfer of funds through financial institutions, vouchers, or other appropriate methods.

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Payments may also be made incrementally, through payment of a portion of the costs at different points in the training course.

The WIA regulations allow the state or local workforce boards to impose limits on the dollar amount and/or duration for ITAs.

- There may be a limit for an individual participant that is based on the needs identified in the Individual Service Strategy (ISS); or
- There may be a policy decision by the LWIB to establish a range of amounts and/or a maximum amount applicable to all ITAs.

Limitations established by LWIB policies must not undermine, but maximize customer choice in the selection of an eligible training provider. ITA limitations may provide for exceptions to the limitations in individual cases.

This policy also clarifies the process and procedures that customers can expect to experience when the choice to seek skills training through WIA is made.

### **REFERENCE:**

Additional guidance may be found as follows:

- State of Maine Workforce Investment Act of 1998, Title I Planning Guidelines (April 2000); Maine's Workforce Investment Act Strategic Plan Modification (May 2005)
- Workforce Investment Act of 1998
  - o Title 1, Section 134(d)(4)(F) Consumer Choice Requirements
  - o Title 1, Section 134(d)(4)(G) Individual Training Accounts
  - o Title 1, Section 134(d)(4)(B) Coordination with other Grant Assistance
- WIA Final Regulations
  - o 20 CFR § 663.320 Coordination with other Grant Assistance
  - o 20 CFR § 663.400-663.440 Individual Training Accounts

#### **POLICY**

Individuals may use ITAs in exchange for training services for skills in demand occupations as defined by the LWIB from training providers on the approved list of eligible training providers (Sections 134(F)(ii) and 134(G)(iii)). WIA mandates that all training services (except for on-the-job training and customized training) be provided through the use of ITAs and that eligible individuals shall receive ITAs through the One-Stop Delivery System (Section 134(G) of WIA).

1. LWIBs shall issue ITAs at the customer's request under the following conditions:

- a. Funds are available,
- b. The customer chooses an eligible training provider consistent with WIA §134(d)(4)(G),
- c. The customer is eligible for Level 3 Training services, and
- d. The customer demonstrates appropriate career choices based on work experience and occupational preferences. There is a reasonable expectation of completing training and a reasonable expectation of obtaining employment.

#### I. General:

- 1. Individual Training Accounts (ITAs) are established on behalf of an eligible individual to finance training services (§663.400).
- 2. WIA Title I adults and dislocated workers will select from the list of eligible training providers who best meet their needs in consultation with their case manager (§663.410).
- 3. Training shall be directly linked to occupations that are in demand in the local area or in another area if the adult or dislocated worker is willing to relocate. The LWIB may approve training services for occupations they determine to have a high potential for sustained demand or growth in the local area [134(d)(4)(G)(iii)].
- 4. ITAs will be available through the One-Stop delivery system with the exceptions listed in paragraph VI of this section [134(d)(4)(G)(ii)(I)].

## **II. Eligibility for Individual Training Accounts:**

- 1. WIA funding for training is limited to eligible participants who:
  - a. Are unable to obtain grant assistance from other sources to pay the costs of their training [134(d)(4)(B)(i)(I)]; or
  - b. Require assistance beyond that available under grant assistance from other sources to pay the costs of such training [134(d)(4)(B)(i)(II)].

## III. Local Policy Must Incorporate the Following:

- 1. How participants will receive assessment, counseling, and an individual employment plan through intensive services prior to selecting a training program.
- 2. These elements of intensive services are mandatory under state policy before arranging for WIA training services:
  - a. How the training will be limited to skills relevant to demand occupations;
  - b. How the participants will learn of the demand occupations or skills and how exceptions to the list of locally recognized demand occupations will be handled. The LWIB must be involved in the exception process. The demand occupations or skills are to be contained in the local workforce development plan;

- c. How the ITA training services policy will be communicated in simple, understandable language to customers of the CareerCenter Center;
- d. How the participant will have access to the list of eligible providers through the One-Stop system. Note: BES will provide a published list of eligible providers on its Internet website for customer convenience. Participants must be able to access WIA training services from any eligible training provider on the state list.
- e. Whether the ITA covers books, fees, and other education materials in addition to tuition;
- f. The duration of the ITA; and
- g. How the value of each ITA will be determined (e.g., will there be a cap on value, will the cap vary for occupations or populations, etc.).

## **IV. Payments of ITAs (663.410):**

- 1. Payments may be made in a variety of ways, including electronic transfer of funds through financial institutions, vouchers, or other appropriate methods.
- 2. The LWIB will determine when payments will be made, incrementally or at different points in the training.

## V. Limitations on ITAs:

- 1. The LWIB may impose limitations on the dollar amount and/or duration based upon criteria established by the board [§663.420(a)].
- 2. There may be a limit for an individual participant that is based on their needs as identified in the Individual Service Strategy (ISS); or the LWIB may establish a range of amounts and/or a maximum amount applicable to all ITAs [§663.420(b)(1&2)].
- 3. Any limitations established by the LWIB must be described in the Local Plan and must ensure that training services are provided in a manner that maximizes customer choice in the selection of an eligible training provider. ITA limitations may provide for exceptions to the limitations in individual cases [§663.420(c)].
- 4. An individual may select training that costs more than the maximum amount available for the ITAs under a state or local policy when other sources of funding are available to supplement the ITA. These other sources may include: Pell Grants, scholarships, severance pay, etc. [§663.420(d)].

## VI. ITAs for Youth (§664.510):

- 1. ITAs are not allowed for youth except for those individuals age 18 and above who are eligible for training services under the adult and dislocated worker programs.
- 2. To the extent possible, in order to enhance youth participant choice, youth participants should be involved in the selection of educational and training activities.

## VII. Other Mechanisms for Payment [§663.430(a)(b)]:

- 1. Contracts for services may be used instead of ITAs when the LWIB has requested and received a waiver for one of the following three exceptions:
  - a. When the services provided are on-the-job training (OJT) or customized training;
  - b. When the LWIB determines that there are an insufficient number of eligible providers in the local area to accomplish the purpose of an ITA system. The local plan must describe the process for selection of providers under a contract for services system. This process must include a public comment period for interested providers of at least 30 days;
  - c. When the LWIB determines that there is a training program of demonstrated effectiveness offered in the area by a community-based organization (CBO) or another private organization to service special participant populations that face multiple barriers to employment as described in §663.430(b). The LWIB must develop criteria to be used in determining demonstrated effectiveness, particularly as it applies to the special participant population to be served. The criteria may include:
    - i. Financial stability of the organization;
    - ii. Demonstrated performance in the delivery of services to hard to serve participant populations through such means as program completion rate; attainment of the skills, certificates, or degrees the program is designed to provide; placement after training in unsubsidized employment; and retention in employment; and
    - iii. How the specific program relates to the workforce investment needs identified in the local plan

VIII. Coordination of ITAs with other Grant Assistance The Act limits funding for training to individuals who are unable to find other grant assistance for training or whose financial needs exceed the assistance available from other sources. WIA funds are intended to supplement other sources of funding (Section 134(d)(4)(B)). LWIBs are encouraged to adopt policies that require local CareerCenters leverage resources for sources such as TAA (as appropriate) and Pell to augment ITA investments in training. The CareerCenter should ensure that duplicate payments are not made to training providers for the cost of training. CareerCenter staff and training providers shall coordinate available funds to pay for training costs, so that WIA funds supplement other sources of funds to pay for training and avoid duplication of payments (See Section VI below for background information on Pell Grants).

The exact mix of funds should be determined based on the availability of funding for either training costs or supportive services, with the goal of ensuring that the costs of the training program the customer selects are fully paid for and that necessary supportive services are available so that training can be successfully completed. The LWIBs should develop written guidelines for how dislocated workers may access TAA funds to support their training plans.

## **DIRECT INQUIRES TO:**

Stephen R. Duval Division Director, Policy and Evaluation Maine Department of Labor Bureau of Employment Services 55 State House Station Augusta, ME 04333 (207) 624-6369

**EFFECTIVE DATE:** 

January 1, 2006

### **ATTACHMENT 11**

### BUREAU OF EMPLOYMENT SERVICES

POLICY AND PROCEDURES ISSUANCE DATE:	<b>January 25, 2006</b>
POLICY NUMBER:	06-02
RECISSION:	Replaces CareerCenter
	Informational Notice: 2
	Issued: August 1, 2001

To: Local Board Directors

From: Larinda L. Meade, Director

**Bureau of Employment Services** 

**CC:** CareerCenter Distribution

**Service Provider Directors** 

**BRS Director BES Hallowell** 

**SUBJECT: Eligible Training Providers** 

#### **BACKGROUND:**

Individual empowerment through informed customer choice is one of the seven guiding principles of the Workforce Investment Act of 1998 (WIA) and one of the mechanisms used to promote the State goal of providing meaningful lifelong learning opportunities. This policy memorandum communicates the requirements and expectations, as outlined in the WIA and the Maine State Planning Guidelines, as they relate to the process for certifying training programs/providers for eligible customers who need to receive training to become successful and productive workers.

The WIA mandates that states design and implement a "voucher system" referred to as an Individual Training Account (ITA) that requires the Local Workforce Investment Boards (LWIBs) through their service providers (CareerCenters) to provide eligible customers with training vouchers that they can take to the educational institution of their choice in order to obtain needed skills training. The WIA also mandates that local LWIBs in conjunction with the Maine Department of Labor (MDOL)/Bureau of Employment Services (BES)

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provide the customer with an eligible training provider list that allows the customer to make an informed decision from qualified training entities.

The intent is to allow the job seeker that qualifies for training services through WIA to have *freedom of choice* in selecting any qualified training provider. The notion of choice is extended to ensure that customers have a variety of training options such as classroom training, distance learning, web-based instruction and general correspondence schools. The Act also intends for the job seekers to make their decisions based on actual program performance information for training they choose to pursue through the ITA system. Therefore, the training providers list should provide as many qualified training providers as possible with associated performance data.

### **REFERENCE:**

Specific guidance related to the WIA Eligible Training Provider certification requirements can be found in:

- State of Maine Workforce Investment Act of 1998, Title I Planning Guidelines (April 2000)
- Workforce Investment Act Notice: Individual Training Account Policies and Guidelines 1-01, (August 2001)
- Workforce Investment Act of 1998
  - o Title I, Section 122(a-e) Identification of Eligible Providers of Training Services
  - o Title I, Section 134(d)(4)(G) Individual Training Accounts
- WIA Final Regulations
  - o 20 CFR § Parts 652 and 660 et al

Section 122 of WIA requires the Governor to establish policy for a Training Provider Certification system. This policy addresses the following areas:

- Initial eligibility procedures for training providers that are not automatically qualified in section 122 (a)(2)(A) and (B);
- A procedure for use by Local Workforce Investment Boards (LWIBs) in the state in determining the subsequent eligibility of a provider to continue to receive funds made available under section 133 (b) for the provision of training services described in section 134 (d)(4) for the effective period of July 1, 2001 through June 30, 2002; and
- Procedures for providers of training services to appeal:
  - 1. A denial of eligibility by LWIB or the designated state agency under subsection (b), (c) or (e) of section 122, or
  - 2. A termination of eligibility or other action by the LWIB or state agency under subsection (f) of section 122.

#### **POLICY:**

This policy addresses initial and subsequent eligibility for training providers, the training provider list and the appeal process.

## I. Who Qualifies as a Training Provider?

To be initially eligible to receive funds as an eligible provider of training services, providers may apply for program certification under two categories.

- 1. **HEA and NAA Eligible Providers:** In order to receive adult and dislocated worker funds under *category one*, prospective providers must meet the following criteria:
  - a. A post-secondary educational program that is (a) eligible to receive funds under Title IV of the Higher Education Act of 1965 and (b) provides a program that leads to an associate degree, bachelor's degree or certificate; or
  - b. Carries out programs under the National Apprenticeship Act of 1937.

Providers and their programs that are eligible to apply for certification under category one include universities, colleges, community colleges, some vocational-technical schools, some proprietary schools and apprenticeship programs registered with the Bureau of Apprenticeship Training, U. S. Department of Labor. In order to receive adult and dislocated worker funds under the second category, prospective providers must meet eligible provider criteria established by the Governor. BES will be responsible for eligibility certification of providers and their programs applying under the second category.

- 2. **Non-HEA and Non-NAA Eligible Providers:** Providers that are eligible to apply for certification under *category two* are:
  - a. Public and private providers of a program of training services, which includes entities such as vocational-technical schools, community-based organizations (CBOs), private training companies, labor organizations, employer organizations, private individuals.
  - A post-secondary educational institution wishing to receive training funds for a program(s) which do not lead to an associate or baccalaureate degree or certificate or are not funded under Title IV of the Higher Education Act of 1965;
  - c. An apprenticeship program wishing to receive training funds for a program not registered with the Federal Bureau of Apprenticeship Training; and

d. An LWIB that has applied for and been granted a waiver by the Governor as outlined in Section 117(f)(B) of the Act.

It is understood that CareerCenter service providers may apply to become an eligible training provider and receive their own ITAs provided that they satisfy the same terms and conditions as all other training providers.

In order to ensure objectivity and fairness for all local service providers and vendors:

- 1) LWIBs and grant recipient staff will ensure that market surveys are completed that identify local service providers and their products and services; and
- 2) LWIBs and grant recipient staff will be responsible for ensuring that the ITA system in their Local Area is implemented fairly and objectively.
- 3. Selection of Eligible Youth Activities Providers [Sec. 117(h), 123; 20 CFR §. 664.510]

Providers of youth activities are *not* subject to the training provider certification process and are not eligible to provide training through the receipt of ITAs. LWIBs must identify eligible providers of youth activities based on recommendations of the local Youth Council and award grants or contracts in accordance with WIA regulations Section 667.105.

## **II. What is the Application Process for Training Providers?**

By agreement with the LWIBs, BES shall be responsible for developing and maintaining the system for approving WIA training providers, including notifying training entities of the opportunity to apply for status as approved training providers through a combination of direct mailings, and notification posted on the CareerCenter website (www.mainecareercenter.com). On behalf of the LWIBs, BES may solicit training providers from outside the Workforce Investment Area, including other states. When soliciting training providers outside their local area, LWIBs will be expected to coordinate outreach activities with the LWIB that operates within the provider area. In the case of out-of-state providers, the LWIB service providers should check first with the appropriate state entity to ensure that the provider has not already applied through an LWIB in their location.

Maine has implemented a single statewide Internet based application to be used by all training providers seeking approval by the LWIBs to provide WIA funded training in their local area. The application identified as the Maine CareerCenter Consumer Report System (MCCRS) is accessed through the CareerCenter website. All potential training providers must make application to the LWIBs through the MCCRS. Those training providers that do not currently have data entry access to the MCCRS should contact MDOL's

Bureau of Employment Services (BES) at 1-888-457-8883 or (207) 624-6390 to obtain the necessary security access.

This statewide, standardized system will eliminate duplication and provide uniformity in the provider information gathered for the statewide list. Each training provider will complete one single application containing all required information on the training institution and on each program being proposed to receive WIA training funds. Training providers must apply to Maine's MCCRS through BES.

Upon determination by BES that a complete application meets the eligibility requirements, the training provider will receive of its approval or disapproval of the application including the reasons it was rejected. Training programs/providers will appear on the statewide list after BES verifies the eligibility, or 30 days have elapsed, whichever occurs first. BES will certify, compile and publish the statewide list through the MCCRS. Training providers will be eligible to apply throughout the year. As new programs are submitted and approved throughout the year, the statewide list will be updated on an ongoing basis. If the program is found to be ineligible for the statewide list, the LWIBs service providers will cease to approve additional Individual Training Accounts (ITAs) for that program until the program meets minimum eligibility requirements. Effective July 1, 2001, all prospective training providers will be required to complete and transmit applications covering each individual program or course of study to be offered only through the CareerCenter website.

NOTE: *Programs*, not providers, are certified through this process.

1. Program Services [Ref. - Regs. Sec. 663.500]

Potential training providers must submit an application, for (a) each course of study or program being proposed and (b) inclusive of performance and cost information. Training should be tailored to those occupations that have been determined to be in demand in each particular local area. The LWIBs will be responsible for ensuring that the training providers have access to a list of demand occupations for their area. The demand occupations list is important because WIA requires training funds to be used to train people for demand occupations. The demand occupation list tells training entities where training funds will be used. The demand occupations list is to be compiled by the LWIBs and consist of a combination of demand occupations from projection models and occupations targeted by the LWIBs as desired growth occupations for the area.

A program of training includes:

- a. One or more courses or classes that, upon successful completion, leads to a certificate, diploma, associate degree or bachelor's degree; or
- b. A competency or skill recognized by employers; or
- c. A training regimen that provides individuals with additional skills or competencies generally recognized by employers; or
- d. Resident, correspondence or telecommunication instruction to prepare individuals to pursue a field of study based on customer choice.
- 2. Types of Training Requiring Applications [Act Sec. 134(d)(4)(D); Regs. 663.300]

The following list of training services is not all inclusive and additional training services may be provided. All proposed training services must be certified in order for WIA-eligible clients to enroll:

- a. Occupational skills training, including training for nontraditional employment;
- b. Programs that combine workplace training with related instruction, which may include cooperative education programs;
- c. Training programs operated by the private sector;
- d. Skill upgrading and retraining;
- e. Entrepreneurial training;
- f. Job readiness skills;
- g. Adult education and literacy activities provided in combination with any other training services outlined above, and
- h. Short-term prevocational services such as job getting; life work management assistance; employer expectations of new employees (punctuality, personal maintenance, professional conduct, performance expectations, labor laws); learning skills development; basic communication skills.

For non-public post-secondary educational institutions not approved by the Maine Department of Education, at the time of initial eligibility evaluation, a one-time waiver of such approval may be granted due to the lengthy approval process involved. However, educational institutions granted waivers must attest to the LWIB that they have initiated the Maine Department of Education approval process and recognize that such approval will be required for subsequent inclusion on the approved statewide ITA list.

## III. How Often Do Training Providers Need to Be Certified?

Beginning on July 1, 2000, eligible training providers shall be certified for a period

of 18 months and recertified on an *annual* basis. The availability of a web-based application procedure makes it possible for training providers to submit data to BES as it is received. Training providers will be eligible to apply throughout the year. BES will publish a new quarterly training provider list on July 1, October 1, January 1 and March 1. Training providers will be approved training providers upon publication in the statewide list. The notification process for applications due for recertification will be handled through the electronic delivery of renewal notices to training providers at least 60 days prior to the expiration of approval. The primary reasons for the re-certification is to verify that the training provider is still offering the training, to ensure that the information on the training and training provider is accurate, and to collect updated performance data. When a training provider is certified, BES will assign a new expiration date. Failure to apply for recertification will result in the expiration of the current certification and removal from the Statewide approved training provider list.

The LWIBs and BES have the right to deny recertification. The application and appeal processes will be the same as those for the certification process.

# IV. What Type of Information Does BES on the Initial Training Provider Application Require?

The application, at a minimum will contain information on the training provider, specific program information, program cost, and performance data. For those entities applying for eligibility under category two, the training provider must provide the following verifiable program-specific performance information for the most recent two full years (included are the state required minimal acceptable performance levels):

- Program Completion Rates for all individuals participating in the applicable program conducted by the institution. The raw numbers (total participants and total participants that completed the program) and the completion percentage. These figures should reflect training in the applicable program over the most recent five-year period. \*
- The rate of all individuals participating in the applicable program who obtain unsubsidized employment within six months (plus or minus) of program completion. The raw numbers (total completers and total completers that obtained unsubsidized employment) and the unsubsidized employment percentage. These figures should reflect training in the applicable program over the most recent five-year period. \*
- The percentage of individuals participating in the applicable program who obtain unsubsidized employment in an occupation related to the program. The raw numbers (total completers and total completers that obtained unsubsidized employment in related field) and the unsubsidized

employment in related field percentage. These figures should reflect training in the applicable program over the most recent five-year period. \*

• The wages at placement in employment of all individuals participating in the applicable program. Wages should be shown as hourly rates. Benefits should not be factored into the rate, but may be listed as an hourly benefit rate. These figures should reflect training in the applicable program over the most recent five-year period. \*

In addition, the training provider must explain the calculation methodology used. If the training provider does not have the required performance data, it must provide the data it has

available and must provide justification for the missing or incomplete data. BES will be required to document reasons for waiving the performance data requirements.

\*BES intends to build training performance data beginning with the approval of the initial application. To allow training providers the maximum flexibility for reporting performance, the data may include the most recent performance period not less than one year and up to five consecutive prior years.

V. The cost of a training program may vary from provider to provider because of what is included in the training cost. In addition, costs ofter change over time. How do LWIBs and their service providers address that issue?

CareerCenter staff should advise those referred to training to check with the institutions to verify the current costs and to identify possible additional costs before making a final decision on a training provider. A possible example might be training for an automobile mechanic. School A offers the training for \$1,500 and School B offers the training for \$1,300. However, School A includes a \$400 set of tools and with School B the tools are an additional cost for the student.

## VI. What Type of Information is required for Recertification?

The following information is required from the training provider for subsequent or recertification. All data required under the initial certification, plus the following additional statistics:

- The percentage of WIA subsidized participants who have completed the program and been placed in unsubsidized employment. These figures should reflect training by WIA applicants in the applicable program over the most recent five year period or the entities entire WIA training period if less than five years.
- The percentage of WIA subsidized participants who are still in unsubsidized employment six months after the first day of employment. These figures should reflect training by WIA applicants in the applicable program over the

most recent five year period or the entity's entire WIA training period if less than five years.

- The wages of WIA subsidized participants six months after the first day of employment. These figures should reflect training by WIA applicants in the applicable program over the most recent five year period or the entities entire WIA training period if less than five years.
  - **NOTE:** To diminish the burden placed on potential training providers the BES has determined that the requirements for reporting performance by training providers will be minimized. Training providers will be given the option to provide BES with SSNs for all students. BES will match SSNs against UI wage records to determine earnings gains and/or retention rates. The CareerCenters will maintain performance information for WIA participants through follow-up services recorded on OSOS.
- Where appropriate, the rate of licensure or certification, attainment of academic degrees or equivalents or attainment of other measurable skills, of the WIA subsidized participants. These figures should reflect training by WIA applicants, in the applicable program over

- the most recent five year period or the entities entire WIA training period if less than five years.
- Other locally required data may be requested, but LWIBs should weigh the value of the data against the cost for collection of such data, since they may be responsible for the cost of collecting such additional data. (See Title I, Section 122(d)(3)).

## VII. Under What Conditions Can a Training Program Be Denied?

A training provider may be denied certification for a training program for any one of the following reasons:

- a. The application does not contain all the requested information.
- b. The performance data is not included with the application or if the performance data does not meet the LWIBs or BES approval.
- c. The training program does not support the demand occupations for the area, or any other requirement for training providers under the WIA.
- d. BES also has the responsibility to remove training providers from the approved training provider list under the following conditions:
  - i. BES shall remove a training provider from the approved training provider list if it is determined that the training entity intentionally supplied inaccurate information.
  - ii. BES shall remove a training provider from the approved training provider list if it is determined that the training entity subsequently violated any requirement under WIA.

# VIII. What if the Training Entity does Not Have the Required Performance Data for Subsequent Eligibility?

It is expected that training providers will furnish the required performance data at the time of application. However, BES may waive the submission of initial eligibility performance data that is unavailable. Applications for recertification of the current training providers will be due prior to December 31, 2001. The "grace period" for subsequent eligibility that doesn't include the required performance data for furnishing information will be December 31, 2002. The requirement for performance data may be waived by the LWIB upon showing of good cause. "Good cause" should include:

- a. The training program is new and data on past performance is not available;
- b. Only partial performance data is available (either type of data or number of years;
- c. Collection of data will cause excessive costs and/or hardship for the training provider during the initial period - NOTE: Provider must develop methodologies to collect required data for Subsequent Eligibility;
- d. WIA specific data (for re-certification) is not available because insufficient time has elapsed to have completers; or
- e. Other reasonable circumstances that may cause data to be unavailable.
- f. If the training provider does not have the required performance data, it must provide the data that is available (e.g., two year averages instead of five year averages) and must provide written justifications for the missing data. The provider must also indicate how it will track and record the data necessary for recertification. The LWIBs must document and retain their reasoning for waiving the performance data requirement.

## IX. What Appeal Rights Do the Training Providers Have?

Training providers can have a training program denied inclusion in the statewide training provider list by either BES or the local LWIB. BES also has the right to remove the training provider from the training provider list, if it is determined that the provider knowingly supplied inaccurate information or violated requirements under WIA. The training provider has appeal rights to both of these denials.

The training provider has 14 days from the mailing of a notice containing the denial of a training program in which to file an appeal to the originator of the notice (LWIB or BES). The request for appeal must clearly indicate that the training provider wants to appeal the denial and must clearly identify the training program being denied. The request for appeal must be signed and should include the reasoning for the appeal. Such appeal must be submitted in writing. The LWIB or BES (as appropriate) will review the request for appeal and based on this review may reverse their original decision if an administrative error was made or if additional information submitted by the training provider changes the basis on which the original decision was issued. This initial process will be

referred to as an administrative reconsideration and must be completed within five workdays of the receipt of the request for appeal.

If the LWIB reverses a prior decision, the LWIB will forward the request with a copy of the appeal file to BES for inclusion on the statewide list and will also notify the training entity in writing that they have reversed their original decision. If BES reverses its prior decision, BES will notify both the LWIB and the training provider of the reversal and will follow the appropriate procedures to incorporate the training provider into the statewide list.

If after the review process, the LWIB does not reverse their original decision, they must forward the appeal to the Maine Department of Labor's Division of Administrative Hearings. This must be done within five workdays of the receipt of the letter requesting the appeal. The Division of Administrative Hearings will conduct a hearing at which the training provider and party denying the training request will be allowed to present their case. The Division of Administrative Hearings will issue an independent decision based on the information gathered at the hearing. A written decision will be issued to the training provider and other interested parties.

If the Division of Administrative Hearings reverses the denial, the LWIB and/or BES will comply with the decision in a prompt and efficient manner. Procedures outlined above for certifying training programs, inclusion of the training program in the statewide list, and written notification to the training provider will be followed. The LWIB and BES will abide by the decision of the Division of Administrative Hearing. The decision by the Division of Administrative Hearings will be final.

### **DIRECT INQUIRES TO:**

Stephen Duval
Division Director, Policy and Evaluation
Maine Department of Labor
Bureau of Employment Services
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BUREAU OF EMPLOYMENT SERVICES POLICY AND PROCEDURES ISSUANCE DATE: August 3, 2009

**POLICY NUMBER: 09-04** 

**RECISSION:** 

To: Local Board Directors

From: Edmund McCann, Director Bureau of Employment Services CC: CareerCenter Distribution Service Provider Directors BRS Director

**BES Commerce Center** 

Subject: Implementing the Veterans' Priority Provisions of the "Jobs for Veterans Act" (PL 107-288) and American Recovery and Reinvestment Act of 2009.

**Purpose:** To inform Local Workforce Investment Boards and workforce investment system partners of the veterans' priority provisions of the Jobs for Veterans Act and to provide guidance as to implementation of these provisions".

**References:** Workforce Investment Act of 1998, Training and Employment Guidance Letter No. 5-03, Issue Date September 16, 2003, Training and Employment Guidance Letter No. 14-08, 20 CFR Part 1010 dated December 19, 2008, and the American Recovery and Reinvestment Act of 2009

**Background:** Public Law 107-288 dated November 7, 2002 amends title 38, United States Code, to revise and improve employment, training and placement services furnished to veterans, and for other programs. Section 2. 4215 Priority of Service for Veterans in Department of Labor Job Training Programs defines "covered person" for purposes of this guidance. The U.S. Department of Labor (DOL) is issuing new regulations implementing priority of service for veterans and eligible spouses, as provided by the Jobs for Veterans Act (JVA), and as specified by the Veterans' Benefits, 2

Health Care, and Information Technology Act of 2006. With the infusion of ARRA funds comes the additional mandate to provide "priority of service for Veterans." Reference for such is spelled out in the "final rules" 20 CFR Part 1010 dated December 19, 2008 and in TEGL No. 14-08 dated March 18, 2009.

Section 11.C of the TEGL offers "States and local areas must incorporate priority of service for Veterans and eligible spouses sufficient to meet the requirements of 20 CFR Part 1010, published at Fed. Reg. 78132 on December 19, 2008, the regulations implementing priority of service for Veterans and eligible spouses in the Department of Labor job training programs under the Jobs for Veterans Act. Under sec.1010.310(b)(3) of these regulations, when the Veterans' priority is applied in conjunction with another priority for recipients of public assistance and low-income individuals, Veterans and eligible spouses who are members of the Recovery Act priority group must receive the highest priority within that priority group, followed by non-Veteran members of the Recovery Act and (WIA) priority group."

20 CFR Part 1010.210 clarifies for which job training programs "priority of service for Veterans" will apply. It reads "(a) Priority of service applies to every qualified job training program funded, in whole or in part, by the Department including: (1) Any such program or service that uses technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services); and (2) Any such program or service under the public employment service system, One-Stop Career Centers, the Workforce Investment Act of 1998, a demonstration or other temporary program; any workforce development program targeted to specific groups; and those programs implemented by States or local service providers based on Federal block grants administered by the Department. (b) The implementation of priority of service does not change the intended function of a program or service. Veterans and eligible spouses must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service."

**Policy:** Local Workforce Boards are required to develop and issue "priority of service to veterans" policy that applies "to every qualified job training program funded, in whole or in part, by the Department" for which they have direct oversight and responsibility. Board level policy must adhere to 20 CFR 1010 dated December 19, 2008 and TEGL No 14-08 dated March 18, 2009 and incorporate veteran priority into current WIA priority of service policy. Veterans' priority of service definitions for covered and non-covered persons is included in APPENDIX I.

The Maine Department of Labor (MDOL), Maine Jobs Council (MJC) and the four (4) Local Workforce Boards will be responsible for developing strategies and implementing the Veterans' piority of service as defined and required by 38 U.S.C 4215(b) and 20 CFR Parts 1001 and 1010. The Maine one-stop delivery system (Maine CareerCenters) is the core mechanism that will be used to support, expand and maintain services to our Veteran population throughout the State. Disabled Veterans and eligible spouses are the group(s) that will receive "top priority." 3

Priority of service applies to Workforce Investment Act Adult, Dislocated and Youth Grants, National Emergency Grants, Demonstration Grants, Trade Adjustment Assistance, Wagner-Peyser, American Recovery and Reinvestment Act (ARRA) and other core programs funded by the U.S. Department of Labor and administered in Maine by the Maine Department of Labor (MDOL). ARRA funding that supplements WIA Dislocated Workers, WIA Adults, WIA Youth and the Competitive Skills Scholarship Program (CSSP) must ensure that priority of service is afforded to Veterans. The following guidelines and practices will be implemented and adhered to under the priority of services provisions: 1. MDOL the LWIBs and CareerCenter Service Providers will take the necessary actions to ensure that priority of service opportunities are clearly visible and articulated to all customers who engage in CareerCenter services. As such,

Maine Department of Labor and Local Workforce Investment Board "priority of service to Veterans" policy to service providers will, at a minimum, include the

methods of implementing Veterans' priority of service as follows:

A. Outreach / Recruitment
☐ Inclusion of information regarding Veterans' priority of service in
orinted materials targeted to customers and employers.
☐ Inclusion of information regarding Veterans' priority of service in
oresentations made to customers and employers.
$\square$ Addition of Veterans' priority of service information to LWIBs, service
providers, Maine CareerCenters and Department of Labor web sites.
☐ Pro-active recruitment of Veterans by targeted contact strategies or
other strategies, particularly when the region is not in compliance with Veterans' priority of service performance measures.  B. Notification
☐ Addition of a Veterans' priority of service rights statement to the
complaint procedures provided to a Veteran customer; and/or
☐ Addition of a Veterans' priority of service rights statement to the
signature portion of the WIA (or other covered) program paper intake forms or applications.
$\square$ Inclusion of information regarding Veterans' priority of service at from
desk reception areas, as well as in universal access information center ocations.
☐ Provide the opportunity for Veterans and eligible spouses to make
known their Veteran status.
☐ The Maine Job Bank job notification system will inform eligible
veterans of job opportunities first and on a more frequent basis than all other registrants  C. Intake/Registration for Services
•
☐ Written policies to establish that service providers who receive WIA funds for employment and training programs will be required to identify
covered persons at the point of entry to programs and/or services, so that Veterans and eligible spouses can take full advantage of the priority of service.
☐ Written policies and procedures will be required to ensure Veterans
and eligible spouses understand their entitlement to priority of service and the full array of employment and training services available. Such policies will address eligibility requirements that Veterans and eligible spouses must meet in order to gain entry into programs and be provided applicable services.  D. Eligibility for Services
☐ Written policies and procedures will be required to ensure Veterans
and eligible spouses meet the statutory eligibility requirements

applicable to the specific employment and training program.
☐ Written policies and procedures will be required to ensure Veterans
and eligible spouses are given priority of service where statutory or mandatory priorities are in effect and particularly, where LWIBs have instituted mandatory priorities due to limited funds.
☐ Written policies and procedures will be required to ensure that
Veterans and eligible spouses receive access to services or resources earlier than non-covered persons, or before a non-covered person, if resources or services are limited.
☐ Written policies will be required that will target special populations of
Veterans including Special Disabled Veterans, Campaign Badge
Veterans, Disabled Veterans and eligible spouses when services or
resources are limited.
2. To determine whether Veterans are receiving priority of service in core
funded by the U.S. Department of Labor and administered in Maine by the Maine Department of Labor (MDOL), several measurements will be incorporated. The following benchmarks will be established to provide a base line from which measure the impact of priority of service to covered participants: one will
benchmark the covered participants using program year 2008 data.
A. Benchmark the number of covered participants in core programs for program year 2008.
B. During each successive program year, how many participants were enrolled in core, intensive and training services during this period?
C. During each successive program year, how many covered (Veterans and/or eligible spouses) participants were enrolled core, intensive and training services during this period?
D. Register all eligible Veterans and/or eligible spouses for training first. The
remaining slots/funds may be used to register non-covered persons for training.
3. LWIBs must develop local policy issuance to providers to ensure that the
priority of service for Veterans requirements are included in all written
agreements for services (plans, contracts and subcontracts).
4. MDOL, in conjunction with Maine's DVET (Director of Veteran Employment
and Training Services), will monitor LWIB issuance, implementation and compliance of the priority of service statute and policy. LWIBs are subsequently
required to conduct the same monitoring with any and all contractors receiving
Department of Labor funds. DVOP Specialists and LVERs are responsible for
advocating for Veterans and monitoring the priority of service principle within the
Maine's CareerCenter network. Any case where a Veteran or eligible spouse is denied services over a Non-Veteran will be documented and brought to the attention of the Bureau of Employment Services for review and further action as

appropriate.

Monitoring Compliance with State Plan: Monitoring compliance with the state plan will meet legislated oversight requirements and support the Maine Job Council goal of accountability. Monitoring compliance fulfills the mandate of the State oversight agency to ensure that statutes, regulation, and policies are being followed. Guidance to the State on monitoring the 5-Year State Plan for Veterans' Services (JVSG) will be provided by ETA and VETS in consort. Such "monitoring guidance" is being developed as of the writing of the 5-Year State Plan and is currently not available. That said; the Bureau of Employment Services anticipates using its comprehensive monitoring plan to review compliance with laws, regulations, state policies, and state and local plans. This comprehensive plan covers all programs for which the BES has administrative responsibilities and monitoring obligations including WIA formula grants, American Recovery and Reinvestment Act (ARRA), National Emergency Grants (NEG), CSSP under ARRA and Trade Assistance Act programs and services.

**Contact:** David Klein, Division Director, Field Services Bureau of Employment Services 55 State House Station Augusta, Maine 04330 (207) 623-7987

# Priority of Service for Veterans and Eligible Spouses: Final Rule (http://www.dol.gov/vets/)

The U.S. Department of Labor (DOL) is issuing new regulations implementing priority of service for veterans and eligible spouses, as provided by the Jobs for Veterans Act (JVA), and as specified by the Veterans' Benefits, Health Care, and Information Technology Act of 2006. JVA calls for priority of service to be implemented by all "qualified job training programs," defined as "any workforce preparation, development or delivery program or service that is directly funded, in whole or in part, by the Department of Labor." Since enactment of JVA in 2002, priority of service has been implemented under policy guidance issued by the Employment and Training Administration. The purpose of these regulations is to further articulate how priority of service is to be applied across all new and existing qualified job-training programs. The new regulations appear in the December 19, 2008 edition of the *Federal Register* and are effective as of January 19, 2009.

## **Key Definitions**

☐ Covered person – The regulations adopt and apply this statutory term,
which includes <i>eligible spouses</i> , as defined by the statute, and <i>veteran</i> , as
defined by the regulations.
☐ Veteran – The regulations specify that the definition for veteran specified

at 38 U.S.C. 101(2) apply across all qualified job-training programs for the purpose of priority of service. That definition includes two key criteria:  o Service in the active military, naval, or air service; and,  o Discharge under conditions other than dishonorable.
☐ The definition of <i>veteran</i> specified by the regulations for priority of service is functionally equivalent to the definition enacted by the Workforce Investment Act (WIA) and codified at 29 U.S.C. 2801(49)(A). <b>Identifying and Informing Covered Persons</b>
☐ The regulations require all recipients of funds for qualified job training
programs to identify covered persons at the <i>point of entry</i> to programs and/or services so they can take full advantage of priority of service. Point of entry includes physical locations, such as One-Stop Career Centers, as well as web sites and other virtual service delivery resources.
$\hfill\square$ The regulations require all recipients to implement policies to ensure that
<ul> <li>covered persons are aware of:</li> <li>Their entitlement to priority of service;</li> <li>The full array of programs and services available to them; and,</li> <li>Any applicable eligibility requirements for those programs and/or services.</li> <li>Page 7 of 8</li> </ul>
Implementing Priority of Service
☐ The regulations provide that priority of service means the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining services. They further specify that taking precedence may mean:
The covered person receives access to the service or resource earlier in time than the non-covered person; or
o If the service or resource is limited, the covered person receives access to the service or resource instead of or before the noncovered person.
☐ The regulations specify how priority of service is to be applied across
three different types of qualified job training programs:  o Universal access programs that do not target specific groups;  o Discretionary targeting programs that focus on certain groups but are not mandated to serve target group members before other eligible individuals; and,
<ul> <li>Statutory targeting programs that are mandated by federal law to provide priority or preference to certain groups.</li> <li>Responsibilities of States and Localities</li> </ul>
☐ States must develop policies for the delivery of priority of service by:
<ul><li>State Workforce Agencies;</li><li>Local Workforce Investment Boards; and,</li></ul>

o One-Stop Career Centers.
☐ The State's policies must require Local Workforce Investment Boards to
develop policies for delivery of priority of service by:
<ul> <li>Local One-Stop Career Centers; and,</li> </ul>
<ul> <li>Local workforce preparation and training providers.</li> <li>Monitoring Compliance with Priority of Service</li> </ul>
☐ DOL will monitor recipients of funds for qualified job training programs to
ensure that covered persons are made aware of and provided priority of service.
☐ Monitoring will be performed jointly by the Veterans' Employment and
Training Service (VETS) and the DOL agency responsible for administering the program.
☐ If monitoring identifies non-compliance with priority of service, the results
of the monitoring: 1) will be handled in accord with each program's compliance review procedures; and, 2) may lead to imposition of a corrective action plan.  Page 8 of 8
Data Collection and Reporting on Priority of Service
☐ The regulations refer to covered persons at the point of entry as <i>covered</i>
entrants.
☐ Those qualified job training programs that have served an average of
1,000 or more covered persons per year over the three most recent years of operation are required to collect and report data on covered entrants.
☐ Six programs currently meet the size threshold for reporting on covered
entrants: 1) WIA Adult; 2) WIA Dislocated Worker; 3) National Emergency Grants; 4) Wagner-Peyser State Grants; 5) Trade Adjustment Assistance (TAA); and, 6) Senior Community Service Employment Program.
☐ The Information Collection Request (ICR) accompanying the regulations
provides that those programs that meet the size threshold will be required to: a) implement reporting on covered entrants; and, b) apply the new definitions for veterans and eligible spouses in their existing reporting on covered participants.
☐ The ICR further provides that programs below the size threshold will be
required to apply the new definitions for veterans and eligible spouses in their existing reporting on covered participants.  The means for affording veterans priority in labor exchange referrals is through "first opportunity." When a job match is made to a new job order, the applicant database is first searched for disabled veterans and nondisabled veterans. When veterans are identified, they are provided referrals to positions prior to referrals being made to the general public.
Disabled veterans receive first priority. The priority service requirement is

communicated to CareerCenter managers who, in turn, communicate it to all staff. DVOPs and LVERs are responsible for advocating for veterans and monitoring the priority of service principle. Any case where a veteran is denied services over a non-veteran will be documented

BUREAU OF EMPLOYMENT SERVICES POLICY AND PROCEDURES ISSUANCE DATE: March 16, 2011

**POLICY NUMBER: 11-01** 

**RESCIND:** Replaces Policy and Procedures

Issuance: 09-02

To: Local Board Directors

From: Stephen Duval, Division Director, Policy and Evaluation

Bureau of Employment Services
CC: CareerCenter Distribution
Service Provider Directors

**BRS Director** 

**BES Commerce Center** 

Subject: Local Workforce Investment Board Certification and Recertification Policy One Stop Operator Certification Procedures

#### **PURPOSE**

To provide Chief Local Elected Officials (CLEOs) with the application and procedures for Local Workforce Investment Board (LWIBs) certification as required in the federal Workforce Investment Act of 1998 (WIA). LWIBs were certified for the first time under the Workforce Investment Act in June 2000. Using the same criteria, the Governor must re-certify Local Boards once every two years, according to the Act. This guidance is being provided at this time to help Local Boards prepare to submit their applications by the June 1st every two years.WIA also introduces the concept of the One Stop Operator. The role of the One Stop Operator or Operators is to administer the One Stop Center or centers. Their responsibility may range from simply coordinating service providers within the center to being the primary provider of services at the center. In areas where there is more than one comprehensive One Stop Center, there may be separate Operators for each center or one Operator for multiple centers. The Local Workforce Investment Board determines the number and role of One Stop Operators within each region. The law specifies a number of entities which may serve as the One Stop Operator. The Act, at section 121(d)(2) identifies entities, including consortia, which can serve as the One Stop Operator.

#### REFERENCES:

WIA §117(c)(2); WIA §121 (d)(e)

20 CFR Sec. 661.307, 661 325, 662.200. 662.400, 662.410, 662.420, 662.430, 663.300 and 666.420

The WIA State Plan, "Maine Local Workforce Investment Boards."

The Workforce Investment Act of 1998 states "The Governor shall, once every two years, certify the LWIBs for each local area in the state. Certification shall be based on

criteria established by the Governor and State Board and, for a second or subsequent certification, the extent to which the Local Board has ensured the workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures."

The Maine Jobs Council (MJC), on behalf of the Governor, recommends the certification of the Local Board to the Governor only after it is determined that the composition and appointments are consistent with the criteria established. The certification criteria established by the Governor are in Appendix B "Maine Local Workforce Investment Boards," as is other relevant material pertaining to Local Board certification. These are the criteria for Local Board certification:

- 1. Local Level Responsibilities
- a. CLEO agreements are required and must specify the respective roles of the individual Chief Local Elected Official in regards to:
- i. The appointment of the members of the Local Board from the individuals nominated or recommended to the CLEO;
- ii. Carrying out any other responsibilities assigned to the CLEO under Title I of the Workforce Investment Act of 1998.
- b. The CLEO must demonstrate that the nominations and the individuals selected for the private sector representation reasonably represent the industrial and demographic composition of the local labor market.
- c. The CLEO must demonstrate that the nominations equitably represent the respective counties within a local area.
- d. The official letter of nomination from the agency/organization nominating the individual must be kept on file at the local level.
- e. The CLEO must submit a Local Board membership list which includes the names of the individuals initially appointed as members of the Local Board, their title, company or agency name, address, E-mail address, telephone, and fax numbers, nominating entity (where applicable), appointment/term Elected Official must notify the Department of Labor within ten days of the first meeting of the certified Local Board of the results of the election for the Chairperson of the Board from among the business representatives. Any subsequent changes in the Chairperson designation should be forwarded in writing to the Department of Labor within ten days of the change.
- f. The CLEO or their designee must submit to the Department of Labor, on an annual basis, an updated and current Local Board membership list. The list must be submitted with expiration date, and sector representation.
- 2. Governor's Responsibility
- a. The Maine Jobs Council will recommend to the Governor, all Local Boards upon determination that the composition of the Board and the appointment of the individuals to the Board are consistent with the criteria established by the Governor and in Section 117 of the Workforce Investment Act of 1998. Criteria must be made in accordance with state law and regulations. Subsequent certifications of the Board are required once every two years by the Council on behalf of the Governor.
- b. The Governor will notify the CLEO within 30 days after the submission of the listing of the Local Board members and supporting documents of the

certification or denial of the proposed Board.

- c. If after a reasonable effort, the CLEO is unable to make appointments for any reason, the Governor will appoint the members of the Local Board from individuals nominated as described above.
- d. For the second and subsequent certifications of the Local Board, in addition to compliance with composition requirements, the Maine Jobs Council on behalf of the Governor will consider the extent to which the Local Board has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures in the certification process.
- e. If a Local Board fails to achieve certification, the CLEO will be required to reappoint and submit a membership listing following the procedures outlined above
- 3. Criteria for Local Board Membership
- The Chief Local Elected Official appointing a Local Board shall ensure the membership and appointment of the Local Board members conforms to the requirements of WIA §117(b)(2). Members who represent organizations, agencies or other entities must be individuals with optimum policy making authority within the entities they represent (Interim Final Rule 661.315(c)). The CLEOs are also strongly encouraged to appoint additional members representing key stakeholders such as county welfare departments, private post-secondary schools, community colleges, public schools, community-based organizations, and additional One-Stop partners. The following is a summary of the required Local Board composition, and the procedures that must be observed by the CLEO in appointing members:
- a. *Business representatives*. A majority of the Local Board membership must be representatives of business in the local area. The business representatives shall include owners of businesses, chief executives or operating officers and other business executives or employers with optimum policymaking or hiring authority. The Local Board business members shall represent business with employment opportunities in the respective local areas. Business members must be appointed from among individuals nominated by local business organizations and business trade associations.
- b. Local educational entities. A minimum of two representatives of the local educational entities must be selected including: representatives of local educational agencies; representatives of local school boards; entities providing adult education and literacy activities; and post—secondary educational institutions (including representatives of community colleges, where such entities exist). The members representing local educational entities must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.
- c. Labor organizations. A minimum of two representatives of labor organizations (for a local area in which employees are represented by labor organizations) and nominated by local labor federations must be included; or for a local area in which no employees are represented by such

organizations, other representatives of employees must be included.

- d. Community-based organizations. A minimum of two representatives of community-based organizations must be selected for the Local Board (special consideration must be given to organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present).
- e. *Economic development agencies*. A minimum of two representatives of economic development agencies, which can include private sector economic development entities.
- f. One-Stop partners. Representation for each of the 19 required One-Stop partners, as delineated in WIA Section 121(b)(1)(B), administering the following programs:
- o WIA Title I funded programs:
- (1) Adults
- (2) Dislocated Workers
- (3) Youth
- (4) Job Corps
- (5) Youth opportunity grants
- (6) Native American programs
- (7) Migrant and Seasonal Farmworker programs
- (8) Veterans' workforce investment programs
- WIA non-Title I funded programs:
- (9) Programs authorized under the Wagner-Peyser Act;
- (10) Adult Education and Literacy activities authorized under Title II of WIA;
- (11) Vocational Rehabilitation programs authorized under parts A & B of Title I of the Rehabilitation Act;
- (12) Welfare-to-Work programs authorized under the Social Security Act;
- (13) Senior Community Service Employment activities under Title V of the Older Americans Act:
- (14) Post-secondary Vocational Education activities under the Carl D. Perkins Vocational and Applied Technology Act;
- (15) Trade Adjustment Assistance and NAFTA Transitional Adjustment Assistance activities authorized under Title II of the Trade Act;
- (16) Local Veterans' Employment Representatives and Disabled Veterans outreach programs activities authorized under Chapter 41 of Title 38, U.S.C.:
- (17) Employment and training activities carried out under the Community Services Block Grant;
- (18) Employment and training activities carried out by the Department of Housing and Urban Development; and
- (19) Programs authorized under State Unemployment Compensation laws.

**Note:** One member may represent multiple programs.

4. Criteria for Youth Council Membership

The Youth Council shall be established as a subgroup of the Local Board. The

following describes the membership requirements of the Youth Council as described in WIA Section 117(h)(2):

- a. Members of the Local Board with special interest or expertise in youth policy;
- b. Representatives of youth service agencies, including juvenile justice and local law enforcement agencies:
- c. Representatives of local public housing authorities;
- d. Parents of eligible youth seeking assistance under this subtitle;
- e. Individuals, including former participants, and representatives of organizations, that have experience relating to youth activities;
- f. Representatives of the Job Corps, as appropriate; and
- g. Others such as individuals as the chairperson of the Local Board, in cooperation with the Chief Elected Official, determine to be appropriate. Additional membership criteria established in the State Plan include:
- a. Representatives of business and labor; and
- b. Representatives that are closely linked to local educational institutions (e.g., public schools, community colleges, other post-secondary institutions).
- 5. Designation/Certification of One-Stop Operators:
- a. The Local Workforce Investment Board (LWIB), with the agreement of the chief elected official, must designate and certify One-Stop operators in the local area. The entity selected as the One-Stop operator must be amongst the eligible, potential, One-Stop operators listed below:
- i. A Postsecondary educational institution;
- ii. An Employment Service agency established under the Wagner-Peyser Act on behalf of the local office of the agency;
- iii. A private, nonprofit organization

(including a community-based organization);

- iv. A private for profit entity;
- v. A government agency; and
- vi. Another interested organization or entity.
- b. One-Stop operators may be a single entity or a consortium of entities and may operate one or more One-Stop centers. In addition, there may be more than one One-Stop operator in a local area.
- c. The agreement between the local board and the One-Stop operator shall specify the operator's role. That role may range between simply coordinating service providers within the center to being the primary provider of services within the center.
- d. The Chief Local Elected Official in cooperation with the LWIB must be designated or certified as follows:
- i. Through a competitive process, or
- ii. Under agreement between the LWIB and a consortium of entities that includes at least three or more of the required One-Stop partners or iii. Under WIA section 121(e), the LWIB, the chief elected official, and the Governor may agree to certify an entity that has been serving as a One-Stop operator in a One-Stop delivery system established prior to the enactment of WIA (August 7, 1998) to continue to serve as a One-Stop operator without meeting the requirements for designation under

§662.410(b) if the local One-Stop delivery system is modified, as necessary, to meet the other requirements, including the requirements relating to the inclusion of One-Stop partners, the execution of the MOU, and the provision of services.

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- e. The designation or certification of the One-Stop operator must be carried out in accordance with the "sunshine provision".
- f. The designation or certification must be reviewed whenever the biennial certification of the LWIB is made.
- g. The certification is consistent with the requirements of:
- i. WIA Section 121(d) and;
- ii. the Memorandum(s) of Understanding; and
- iii. The certification must be made publicly, in accordance with the "sunshine provision" at WIA Section 117(e). (WIA Section 121(e)).
- h. A description of the additional documentation and its disposition are contained below:
- Competitive process.
- 1) Copy of LWIB meeting minutes or resolution where the selection process is agreed upon by the LWIB and confirmed by the CLEO, must be kept on file locally.
- 2) Copy of the signed One Stop Operator Agreement (SAMPLE attached).
- ii. Selection by LWIB and consortium of One-Stop partners.
- 1) Copy of LWIB meeting minutes or resolution where the selection process is agreed upon by the LWIB and confirmed by the CLEO, must be kept on file locally.
- 2) Copy of the signed One Stop Operator Agreement (SAMPLE attached).
- iii. Designation of the LWIB as One-Stop operator.
- 1) Copy of LWIB meeting minutes or resolution where the selection process is agreed upon by the LWIB and confirmed by the CLEO, must be kept on file locally.
- 2) Documentation confirming compliance to the "Sunshine Provision" as described in WIA Section 117(e), must be kept on file locally.
- 3) A request for approval for the LWIB to be the One-Stop operator must be submitted to MDOL/BES by the CLEO and LWIB.
- 4) Copy of the signed One Stop Operator Agreement (SAMPLE attached).
- iv. Designation of the existing One-Stop operator.
- 1) Copy of LWIB meeting minutes or resolution where the selection process is agreed upon by the LWIB and confirmed by the CLEO, must be kept on file locally.

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- 2) Documentation confirming compliance to the "Sunshine Provision" as described in WIA Section 117(e), must be kept on file locally.
- 3) A request for approval for the existing One-Stop Operator to be

grandfathered must be submitted to MDOL/BES by the CLEO and LWIB.

4) Copy of the signed One Stop Operator Agreement (SAMPLE attached).6. Application Instructions

Chief Local Elected Officials must complete and submit the enclosed Application for Local Workforce Investment Board Certification. The application must be received by the Bureau of Employment Services by June 15th, in order for Local Boards to be certified by the Governor no later than June 30th.

**Contact:** Stephen R. Duval, Division Director, Policy and Evaluation Bureau of Employment Services 55 State House Station Augusta, Maine 0

BUREAU OF EMPLOYMENT SERVICES
POLICY AND PROCEDURES
ISSUANCE DATE: March 11, 2011

**POLICY NUMBER: 11-03** 

RECISSION:

To: Local Board Directors
From: Peter Paré, Director
Bureau of Employment So

Bureau of Employment Services CC: CareerCenter Distribution Service Provider Directors

# **SUBJECT:** Rapid Response Additional Assistance Funds Request REFERENCES:

☐ Workforce Investment Act Public Law 105-220 Section 133 (a) (2) and 134 (a) (2) (A)

□ 20 CFR Part 652 et al., WIA; Final Rules, Sections 665.300, 665.310, 665.320, 665.330 and 665.340

# **POLICY:**

According to §134(a)(2)(A)(ii) of the WIA, "A State shall use funds reserved as described in §133(a)(2) to carry out statewide rapid response activities, which shall include - provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals." The regulations for the WIA at 20 CFR §665.340, clarify what is meant by "provision of additional assistance." It states that "once the State has reserved adequate funds for rapid response activities, such as those described in §§665.310 and 665.320, the remainder of the funds may be used by the State to provide funds to local areas that experience increased numbers of unemployed individuals due to natural disasters, plant closings, mass layoffs or other events for provision of direct services to participants (such as intensive, training and other services) if there are not adequate local funds available to assist the dislocated workers." All activities charged to the Rapid Response Additional Assistance (RRAA) must meet the WIA definition of a "Program Cost." No Administrative activities may be charged to RRAA funds.

The Bureau of Employment Services may issue RRAA funds to Local Workforce Investment Areas (LWIA) for Insufficient Funds.

# **Insufficient Funds:**

Under § 665.340, a LWIA may request RRAA funds when their WIA Title 1 Formula Funds are insufficient to provide staff assisted core, intensive and training services to dislocated workers.

Evidence of 70% expenditure of Dislocated Worker Title I funds for the current and previous program year must be provided by the LWIA. The local area may request funds for a targeted dislocated worker population or for the general dislocated worker population impacted by lay off within 120 days of application for funds. These two categories are described below.

- 1. **Targeted Population:** Funds are used as a bridge to approval of a Trade Petition or a National Emergency Grant due to a mass layoff or facility closing or natural disaster. Maximum duration of bridge funds is up to 6 months pending approval of an Emergency Grant or Trade petition. RRAA funded expenses otherwise covered by a NEG will be reimbursed to the State dislocated worker 25% fund. When applying under the first scenario, the RRAA funds awarded are to be targeted to the workers who have been dislocated from the companies that have been determined by the Bureau of Employment Services (BES) as Rapid Response dislocation events and/or identified under a Trade petition. The local area must identify the targeted companies in a written request to the BES. The funds must be used to serve the workers dislocated from the companies identified in the request.
- 2. **General Dislocated Worker Population:** Funds are used as additional assistance to a local area that has experienced a steady increase in the numbers of unemployed individuals due to natural disasters, plant closings, mass layoffs or other events that have resulted in a lack of local funds to assist dislocated workers. When applying under this scenario, the local area must describe the events that have led to the unexpected and increased demand for service by dislocated workers in the local area. A written request describing the Dislocated Workers to be served, the local provider who will receive the funds and current available funding level for the provider and the local area must be submitted to the BES. Co-enrollment in WIA formula grants required. For either category 1 or 2, a. Trade/WIA Co-enrollment or b. Statewide Regional Projects may apply.

# a. Trade and WIA Co-Enrollment:

RRAA funds are to be used to provide additional services and coordination between the Trade Act and WIA programs. Funds may be used to provide services pending Trade petition approval and to support workers with needs not otherwise covered by the Trade program. When applying under this scenario, all trade impacted dislocated workers who require more than core services to obtain suitable employment are to be registered into the WIA program using the RRAA funds awarded under this policy. Under this scenario, the funds may be used to provide; staff assisted core, intensive and training services to impacted workers. Services may include individualized job search, career guidance, comprehensive assessment, case management, training, support and follow-up pending Trade petition approval. Support services not covered under the trade program but following the local LWIA Board policies may include services such as child care, and licensing and testing fees not required for training but for reemployment and emergency assistance.

# b. Statewide/Regional Projects:

Under this category, the RRAA funds are used to support statewide or regional initiatives to provide direct services to dislocated workers. In all cases, this will be a multi-LWIA initiative.

# **Application Requirements**

Each RRAA reque:	st must inclu	ide the fol	llowing in	formation:
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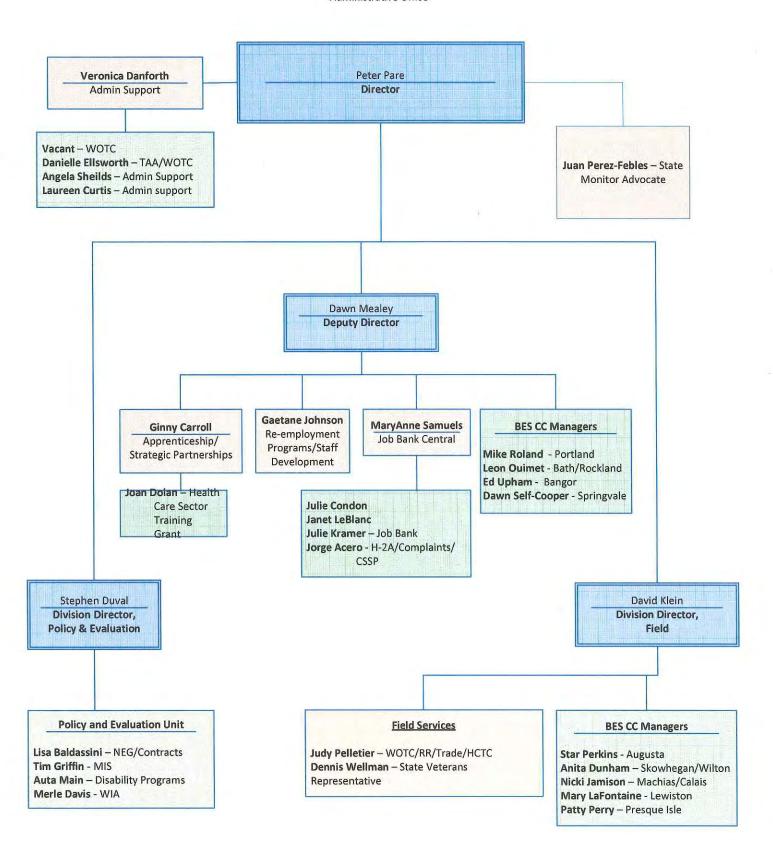
- 1. An e-mail (or letter) requesting RRAA funds
- 2. Synopsis of the Request including:

- □ Logistics of layoff company(s) Employer Data Sheet
- □ Number of workers being dislocated by company
- ☐ Layoff dates of the impacted workers (must be within 120 days)
- □ Number of workers participated in rapid response activity
- ☐ If appropriate, the name of the labor organization representing the employees
- 3. RR Survey Summary supporting implementation plan
- 4. Implementation Schedule
- 5. Project Budget: Line item budget including brief budget narrative. Budget is based on previous year WIA dislocated worker program average cost per participant.

**Attachments:** 

**DIRECT INQUIRIES TO:** 

# Bureau of Employment Services Personnel Organizational Chart Administrative Office



# **Chamber Region Workforce Statistics**

	Region 1	Region 1 Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Total				
	Aroostook	Aroostook Down East N	Mid-Coast	Greater	The Maine	Maine's	Kennebec	The Maine	Maine	HZ	SN	Period	New
		and		Portland	Beaches	Lakes &	& Moose	Highlands	Statewide				England
		Acadia		& Casco		Mountains	River						
				Bay			Valley						
Labor Force Statistics (Not Seasonally Adjusted unless otherwise noted)	isted unless oth	herwise note	(p								and the last		
1 Labor Force Size	34,714	42,976	75,825	157,409	110,062	103,197	88,839	86,902	699,923	739,614	153.9m	Q1 2012	23m
2 Unemployment Rate	%2.6	11.6%	8.7%	6.3%	7.7%	8.6%	8.5%	8.4%	8.5%	2.7%	8.6%	Q1 2012	7.7%
3 Prior year Unempl rate	10.3%	12.6%	9.5%	6.7%	8.4%	9.3%	9.2%	9.2%	8.8%	5.9%	9.5%	Q1 2011	8.6%
4 Seasonally Adjusted Unemployment Rate									7.1%	5.2%	8.2%	Q1 2012	7.1%
Employer Statistics													
5 Number of establishments (private)	2,119	3,185	5,200	12,246	5,922	5,029	4,657	4,588	46,132	45,705	8.78m	2011	
6 Number of Jobs (all ownerships)	28,222	32,210	52,914	169,003	66,126	74,279	74,578	73,793	579,681	605,713	129.4m	2011	
7 % of statewide employment	4.9%	2.6%	9.1%	29.2%	11.4%	12.8%	12.9%	12.7%					
8 % ch vs. prior year	-1.1%	0.3%	~6.0-	1.0%	0.7%	-0.3%	0.1%	%0.0	0.3%	0.8%	1.2%	2011/2010	
9 % ch vs. 3 yrs ago (2008)	-6.3%	-4.5%	-4.6%	72.9%	-3.2%	-4.9%	-3.9%	4.5%	-3.8%	-3.7%	-4.0%	2011/2008	
10 Average Annual Wage (all ownerships)	\$31,880	\$32,963	\$35,568	\$43,051	\$37,688	\$34,999	\$36,484	\$34,965	\$38,024	\$ 47,287	\$48,040	2011	
11 % Maine statewide avg wage	84%	87%	94%	113%	%66	92%	%96	95%	100%	124%	126%		
12 % ch vs. prior year	7.0%	1.5%	1.5%	2.1%	2.1%	1.8%	0.8%	1.4%	1.8%	2.9%	2.8%	2011/2010	
13 % ch vs. 3 yrs ago	6.2%	2.0%	5.5%	4.6%	5.2%	4.8%	2.5%	4.9%	4.7%	5.3%	5.4%	2011/2008	
14 Total Wage Growth, 1 yr (all ownerships)	0.8%	1.8%	0.7%	3.2%	2,8%	1.5%	0.9%	1,4%	2.1%	3.8%	4.0%	2011/2010	
15 Total Wage Growth, 3 yr	-0.5%	0.3%	0.7%	1.6%	1.8%	-0.3%	-1.5%	0.2%	0.7%	1.4%	1.2%	2011/2008	
to the my of the many of	O	1.0	C	ų			o	7	OU				
דת כוומוווסבוף מו כסווווומוכב	0	q	n	0		n	a	,	00				
17 Chamber Members	673	2,439	2,489	1,636	2,793	2,868	1,034	1,895	15,827				
18 Penetration	32%	77%	48%	13%	47%	21%	22%	41%	34%				

1. Regional labor force statistics are only available on a NOT SEASONALLY ADJUSTED (NSA) basis. For comparison purposes, statewide figures are also provided on a NSA basis. Seasonally adjusted (SA) unemployment rate statistics are provided at the state and national levels for comparison.

2. Chamber region statistics are based on county level data

3. Statistics for the Greater Portland & Casco Bay region are represented by Cumberland County, Cumberland is the only county falling within 2 Chamber regions (regions 4 & 6). However, the proportion of Cumberland's population falling within Region 6 is relatively small compared those within Region 4. As such, Cumberland County is considered a good proxy for Region 4.

4. Regional figures may not sum to statewide totals due to undisclosed geographic data as well as data that is suppressed per BLS confidentiality standards.

5. Labor force statistics offer a count of individuals by labor force status (employed and unemployed). Figures include the self employed, unpaid family workers and people working in other states (but living in other states) Maine). People with more than one job are only counted once. This is a count based on the place of residence (a person living in Region 5 and working in Region 4 is part of the Region 5 labor force). 6. Employer statistics are based on the Quarterly Census of Employment and Wages (QCEW), a quarterly count of employment and wages reported by employers through unemployment insurance

tax filings and covering 98% of US jobs (not including self employment). Employment is counted at the location of employment not the place of residence (a person living in Region 5 but working in Region 4 is counted as employed in Region 4). Number of jobs are from all ownerships (private and public).

7. Establishments represent private ownerships (not government owned) and only include those businesses paying unemployment insurance on its employees.

8/14/2012

## **Employment by Industry (2011)** Region 1 Region 2 Region 3 Region 4 Region 5 Region 6 Region 7 Region 8 Total Aroostook Down East Mid-Coast Greater The Maine Maine's Kennebec The Maine Maine and Acadia Portland & Beaches Lakes & & Moose Highlands Statewide Casco Bay Mountains River Valley **Employment by Industry** 1 Goods - Producing 4.956 5,100 6.882 17,046 10,291 13,289 9,946 8,274 82,076 90,967 19,062,460 % region empl. 18% 16% 13% 16% 11% 14% 15% 15% % ch vs. pr yr 0% 3% 2% -2% 3 1% 3% 1% 3% 1% 2% 2% 4 % ch vs 2008 -12% -14% -10% -11% -17% -14% -11% -17% -13% -13% -15% 5 Manufacturing 2.876 2,795 3,434 9.353 7.410 9.043 5.570 4.700 50.768 66,573 11,701,587 10% 5% 12% 6 % region empl. 9% 6% 11% 7% 6% 9% 11% 9% 1% % ch vs. pr yr 3% -1% 5% 1% 1% 3% -5% 0% 1% 7% 8 -15% -14% -8% -11% -19% -17% -11% -14% -12% -13% 9 747 1,768 2,831 7.281 2.578 3,429 5,470,906 Construction 3.268 2.648 25,202 22.136 10 % region empl. 3% 5% 5% 4% 4% 5% 4% 4% 4% 4% 4% 11 2% % ch vs. pr yr -1% 2% 5% -1% 4% 4% 4% 3% 0% 12 % ch vs 2008 -14% -18% -13% -11% -16% -9% -18% -19% -15% -15% -23% 13 Nat. Resources & Mining 1,333 537 617 412 303 817 1,108 926 6,106 2,258 1,889,967 14 5% 2% 1% 0% 0% 1% 1% 1% 0% 1% 15 % ch vs. pr vr 0% -1% -3% 26% 14% 1% -3% 0% 1% 2% 5% 16 % ch vs 2008 -3% -4% -3% 42% 24% -2% 10% -2% 3% -7% 0% 17 16,852 21,394 31,384 132,547 41,594 Service - Producing 50,669 45,680 51,172 400,236 429,238 89,102,828 % region empl. 66% 59% 78% 18 60% 63% 68% 61% 69% 69% 71% 69% 19 % ch vs. pr vr -1% 1% 0% 1% 1% 0% 0% 1% 1% 1% 2% 20 % ch vs 2008 -6% -2% -2% -1% -1% -2% -3% -3% -2% -2% -2% 21 Trade, Transp., & Utilities 5,755 6,577 9,139 34,491 11,961 14,599 14,128 17,327 116,797 133,821 24,815,107 77 17% % region empl. 20% 20% 20% 18% 20% 19% 23% 20% 22% 19% 23 % ch vs. pr yr 0% 0% -2% 0% 0% 0% -1% 2% 0% 1% 2% 24 % ch vs 2008 -4% -3% -8% -8% -5% -4% -7% -6% -4% -5% 3,160 25 553 Information 375 658 571 873 757 1.131 8.260 11,133 2,675,278 26 % region empl. 2% 1% 1% 1% 1% 2% 1% 2% 2% 27 % ch vs. pr yr -11% 2% -4% -18% -1% -7% -6% 0% -3% -9% -1% -19% 28 -37% -4% -16% -30% -14% % ch vs 2008 -16% -23% -23% -11% -11% 29 Financial Activities 981 1,062 1,478 14,524 2,221 3,727 2,031 2,345 30,222 33,523 7,416,512 30 % region empl. 3% 3% 9% 3% 5% 3% 3% 5% 6% 6% 3% 31 -2% -4% 0% -4% % ch vs. pr vr 0% 1% -1% 0% 1% 0% 32 % ch vs 2008 -7% -10% -3% 11% 5% -7% -4% -10% -4% -6% -7% 33 Professional and Business St 1,321 2,592 3,871 23,357 4,187 7,139 5,629 6,297 57,349 66,409 17,295,298 34 10% 5% 8% 7% 14% 6% 8% 11% % region empl. 9% 10% 13% 35 % ch vs. pr vr 3% 0% 4% 2% 5% -2% 3% 3% 3% 3% 36 % ch vs 2008 18% 8% -9% 2% 2% 0% -2% 5% 37 Education & Healthcare 5.757 5.529 15.446 15,128 19.020.434 8.319 34.047 10.386 15.630 110.947 101.597 38 Educational Services 212 476 980 3,875 1,349 1,821 1,648 1,038 11,496 17,278 2,534,354 39 % region empl 1% 2% 2% 2% 1% 3% 2% 40 3% -1% % ch vs. pr yr 10% 3% 5% 12% 3% 2% 3% 1% 3% 41 % ch vs 2008 -4% 13% 7% 8% 11% 11% 5% 9% 7% -2% 7% Health Care and Social Assi 42 5,545 5,053 7,339 30,172 9.037 13,625 13,480 14.592 99,451 84,319 16,486,080 43 20% 16% 14% 18% % region empl. 14% 18% 18% 20% 17% 14% 13% 44 % ch vs. pr yr -1% 1% 1% 1% 1% -3% 2% 0% 0% 1% 2% 45 % ch vs 2008 -1% -1% 2% 2% 0% -1% -1% 6% 46 Leisure and Hospitality 4,080 6,016 2,024 17,904 10,514 7,127 5.929 60.157 63.252 13.294.199 6,516 % region empl. 7% 13% 11% 11% 16% 10% 8% 9% 10% 10% 10% 0% % ch vs. pr yr 1% 2% 2% 0% 0% 1% -2% 1% 2% 49 -6% % ch vs 2008 -4% -1% -1% 4% 1% 0% -2% 0% -1% -1% Other Services 50 461 1,179 1.903 5.064 1,754 1,758 2,078 1,926 16,384 19,363 4,406,825 6,415 5,715 7,924 19,409 14,241 10,320 18,952 14,349 51 Gov't 97,370 85,508 21,243,673 52 % region empl. 23% 18% 15% 11% 22% 14% 25% 19% 14% 17% 16% 53 % ch vs 2008 -4% -4% -6% -6% 4% -4% -2% -2% -3% -2% -2% 54 Federal 1,267 752 616 2,156 5,553 562 2,353 1,345 14,644 7,390 2,863,558 55 % gov't empl. 20% 13% 8% 11% 39% 5% 12% 15% 9% 13% 56 955 State 1.201 876 4,312 472 1.477 9.363 5.084 23,739 20,660 4,560,139 57 % gov't empl. 19% 15% 12% 22% 3% 14% 49% 35% 24% 24% 21% 58 3.947 4.088 6,355 12,942 8,217 8.282 7,236 7,920 58,986 Local 57,458 13,819,976 % gov't empl. 38% 59 62% 72% 80% 67% 58% 80% 55% 61% 67% 65%

Total Empl (all ownerships)

1. Industry employment data is based on the Quarterly Census of Employment and Wages (QCEW) and represents private ownerships, except for Gov't employment.

169,003

2. Some data is suppressed in Region 3 (manufacturing employment in Sagadahoc County; financial activities data in Waldo County) per BLS confidentiality standards. This is the reason employment does not sum to 100%.

66,126

74,279

74,578

73,793

579,681

605,713

129,408,962

3. Government employment includes federal, state and local government. In 2011, public administration was ~28% of total government employment in

Maine: education sector employment was ~50%; manufacturing and construction, 8%; healthcare 6%

32,210

28,222

- 4. Natural resources includes agriculture, forestry, fishing, hunting industries. Forestry and logging are included here
- 5. Manufacturing sector includes paper and pulp mills, wood manufacturing, saw mills, wood products manufacturing, etc.

52,914

6. Region 8 has 640 employed in forestry & logging, the most of all regions (Aroostook is 2nd, with 609). However, due to Region 8's comparatively large employment base, forestry and logging is a much smaller percent of employment compared to Aroostook County. 2 8/14/2012

	Region 8
(2011)	Region 7
Industry	Region 6
Wage by	Region 5
ınual W	Region 4
werage Annual V	Region 3
Ave	Region 2
	Region 1

돌

Total

Maine

The Maine

Maine's Lakes Kennebec &

The Maine

Greater

Mid-Coast

Down East

Aroostook

		and Acadia		Portland &	Beaches	& Mountains Moose River	Moose River	Highlands	Statewide		
The state of the s				Casco Day			valley				1
Average Annual Wage 2011										100	
. Total Private	\$30,064	\$32,695	\$35,559	\$43,077	\$33,875	\$35,061	\$34,538	\$34,008	\$37,394	\$47,944	\$47,815
% Maine Statewide Avg Wage	80%	87%	%56	115%	91%	94%	95%	91%	100%	128%	128%
% ch pr yr	2%	2%	2%	2%	2%	2%	2%	2%	2%	4%	3%
Manufacturing	\$40,291	\$43,865	\$36,603	\$59,546	\$49,948	\$50,344	\$46,527	\$42,315	\$50,327	\$63,204	\$59,207
% Maine Statewide Avg Wage	108%	117%	%86	159%	134%	135%	124%	113%	135%	169%	158%
% ch pr yr	%0	-1%	%0	2%	7%	-1%	1%	3%	1%	2%	3%
Construction	\$34,164	\$35,697	\$37,406	\$45,435	\$38,023	\$39,767	\$42,487	\$39,469	\$41,483	\$50,119	\$50,692
% Maine Statewide Avg Wage	91%	%56	100%	122%	102%	706%	114%	106%	111%	134%	136%
% ch pr yr	%9	2%	1%	3%	%0	3%	4%	-1%	3%	1%	2%
0 Nat. Resources & Mining	\$30,854	\$32,901	\$51,905	\$26,880	\$33,532	\$31,850	\$33,087	\$40,532	\$35,083	\$35,402	\$53,688
1 % Maine Statewide Avg Wage	83%	%88	139%	72%	%06	85%	88%	108%	94%	82%	144%
2 %ch pr yr	2%	2%	21%	-11%	4%	2%	4%	4%	4%	-1%	8%
3 Trade, Transp., & Utilities	\$26,171	\$25,917	\$25,202	\$34,131	\$28,614	\$28,420	\$29,949	\$28,807	\$31,051	\$39,454	\$40,224
4 % Maine Statewide Avg Wage	20%	%69	67%	91%	77%	%91	80%	77%	83%	106%	108%
5 %ch pr vr	1%	3%	7%	2%	1%	1%	1%	1%	1%	3%	3%
6 Information	\$31,359	\$40,313	\$37,015	\$47,992	\$39,516	\$38,839	\$49,025	\$42,569	\$43,830	\$74,548	\$78,306
7 % Maine Statewide Avg Wage	84%	108%	%66	128%	%90T	104%	131%	114%	117%	199%	209%
8 %ch pr yr	2%	1%	4%	%67	7%	2%	2%	3%	-3%	-1%	2%
9 Financial Activities	\$35,945	\$40,660	\$44,618	\$65,720	\$43,218	\$41,083	\$42,471	\$42,241	\$54,032	\$74,600	\$77,366
0 % Maine Statewide Avg Wage	%96	109%	119%	176%	116%	110%	114%	113%	144%	199%	207%
1 %ch pr yr	3%	2%	7%	2%	%9	%9	%6	2%	%9	%9	2%
2 Professional and Business Svcs.	\$32,981	\$44,453	\$43,402	\$55,255	\$42,773	\$33,704	\$41,308	\$36,920	\$46,128	\$62,686	\$61,873
3 % Maine Statewide Avg Wage	88%	119%	116%	148%	114%	%06	110%	%66	123%	168%	165%
4 % ch pr yr	12%	7%	3%	1%	2%	4%	3%	-1%	2%	4%	3%
5 Educational Services	\$28,567	\$31,607	\$31,085	\$38,801	\$43,655	\$41,052	\$43,440	\$29,833	\$38,554	\$47,803	\$43,667
6 % Maine Statewide Avg Wage	74%	82%	81%	101%	113%	106%	113%	41%	100%	124%	113%
7 % ch pr yr	-1%	-1%	2%	4%	%8	%0	1%	%9	3%	2%	2%
B Health Care and Social Assistance	\$33,398	\$38,954	\$35,180	\$44,876	\$38,749	\$40,733	\$36,000	\$42,782	\$40,554	\$48,039	\$44,499
9 % Maine Statewide Avg Wage	%68	104%	94%	120%	104%	109%	%96	114%	108%	128%	119%
5 % ch pr yr	3%	3%	2%	3%	3%	3%	1%	2%	2%	3%	2%
1 Leisure and Hospitality	\$12,722	\$18,754	\$18,351	\$17,723	\$17,695	\$15,430	\$14,937	\$14,996	\$16,860	\$17,260	\$19,765
2 % Maine Statewide Avg Wage	34%	20%	49%	47%	47%	41%	40%	%04	45%	46%	53%
3 % ch pr yr	1%	%0	2%	1%	2%	2%	4%	3%	1%	%0	2%
4 Other Services	\$20,183	\$25,868	\$26,180	\$29,547	\$25,262	\$24,213	\$29,874	\$25,354	\$27,904	\$31,639	\$30,025
5 % Maine Statewide Avg Wage	54%	%69	70%	%62	%89	929	80%	%89	75%	85%	80%
5 % ch pr yr	2%	%0	2%	3%	1%	%0	2%	-1%	3%	2%	2%
7 Gov't	\$38,050	\$34,206	\$35,618	\$42,850	\$51,581	\$34,614	\$42,198	\$38,930	\$41,147	\$45,112	\$49,187
8 % Maine Statewide Avg Wage	102%	91%	858	115%	138%	%86	113%	104%	110%	121%	132%
9 %ch pr yr	1%	1%	% %	1%	2%	1%	-3%	1%	%0	5%	7%
Notes of the second											

Notes:

Average annual wages on this worksheet reflect employment within private ownerships as opposed to all ownerships (private + government establishments) on the first worksheet, "Workforce Statistics". Thus, average wage/worker is higher on the "Workforce Statistics" worksheet as this figure includes government employee salaries, which are higher, on average, than private sector average wages.

		Demog	graphic	Statist	ics & Ec	lucatio	nal Att	emographic Statistics & Educational Attainment	<b>+</b>	
		Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Total
		Aroostook	Down East and Acadia	Mid-Coast	Greater Portland & Casco Bay	The Maine Beaches	Maine's Lakes & Mountains	Kennebec & Moose River Valley	The Maine Highlands	Maine Statewide
The second										
Demographics 1 Total Population		72.173	87.419	148.826	281.369	197,353	196,571	174,342	171,219	1,329,272
2 % of statewide population	ation	2%	7%	11%	21%	15%	15%	13%	13%	100%
3 Number Female		36,710	44,951	75,942	144,623	101,332	99,734	88,994	87,012	679,298
4 % female		21%	51%	51%	21%	51%	21%	51%	51%	21%
5 Number of Veterans		7,796	9,881	17,879	23,815	20,547	20,965	19,631	16,872	137,386
6 % Veteran		11%	11%	12%	8%	10%	11%	11%	10%	20%
7 Number with Disabilities 8 % with Disabilities	es									
9 Youth (15-24 years)		8,556	10,344	15,995	36,921	23,148	25,911	22,020	27,402	170,297
1	<u></u>	12%	12%	11%	13%	12%	13%	13%	16%	13%
A		27,667	33,495	58,191	119,837	82,447	79,725	71,087	68,170	540,619
12 % of region population	L.	38%	38%	%68	43%	42%	41%	41%	40%	41%
S	d over)	24,282	30,238	50,269	76,311	57,333	56,101	51,821	47,875	394,230
14 % of region population	ion	34%	35%	34%	27%	75%	29%	30%	28%	30%
15 Personal income (in thousands)	ousands)	\$2,234,370	\$3,028,191	\$5,520,946	\$12,484,895	\$7,642,279	\$6,400,963	\$5,909,824	\$5,577,261	\$48,798,729
16 Per capita personal income	ome	\$31,153	\$34,744	\$37,281	\$44,369	\$38,764	\$32,637	\$33,894	\$32,543	\$36,763
17 % of statewide average	36	85%	%56	101%	121%	105%	%68	92%	%68	100%
Educational Attainment	#		The same							
18 Population over 25 years	rs	51,949	63,733	108,460	196,148	139,780	135,826	122,908	116,045	934,836
19 Less than 9th grade education	ducation	4,039	2,443	2,530	3,844	4,882	6,863	5,024	4,536	34,125
20 % of population over 25	er 25	%8	4%	2%	2%	3%	2%	4%	4%	**
35	diploma	4,288	4,812	6,840	8,665	7,942	10,274	7,787	7,598	58,338
	er 25	8%	%8	%9	% % %	%9	43%	% 6%	%	20%
Δ.	loma (20+22)	16%	<b>%</b>	%	9%0	%6	13%	10%	10%	1070
HS		19,862	21,843	38,710	50,979	46,483	54,955	47,153	42,865	322,655
	rer 25	2020	04.40	0700	9/07	2000	2000	25 275	30.10	199 351
25 Some college, no degree	ree er 25	2.2%	21%	19%	19%	21%	20%	21%	21%	20%
Δ		4.454	4.965	8.735	17.943	13,865	11.312	11,401	10.759	83,473
	er 25	%6	%8	%8	%6	10%	8%	%6	%6	%6
Ва		6,244	10,617	19,557	47,710	25,024	16,657	16,990	17,080	159,873
	er 25	12%	%21	18%	24%	18%	12%	14%	15%	17%
ত	nal	2,338	5,736	11,354	29,074	12,377	8,941	9,227	9,011	88,018
33 % of population over 25	er 25	2%	% 6	10%	15%	%6	%2	%8	%8	%6 6
30 # Akult Ed conters										
35 # of C&T Educ Schools										
36 # community colleges										
37 Universities										

Data source: 2008-2010 and 2006-2010 American Community Surveys (Census Bureau).

				Progr	Program Scorecard	ecard					
	Funding (\$ 000s) Federal State Other	# of Partic- ipants Exiters eer	Entered Employment/ Attainment of Degree/ Certificate (%)	Avg Wkly Wage Employed	Average Place-ment Retention of Earnings Previously Employed Increase Unemploye Exiters (%) d (%)	ent Retention of sly Employed oye Exiters (%)	\$ Spent on \$ Training as % of Total a Expenditures	\$ Spent on Train. Incl. Supp Svc as a % of Total Expenditures	\$ Spent as % of Total Inv Expend- itures	Return Return on on Investment (ROI) Investment ROI Taxpayer Participant	Collaboration
WIA Title I Adult										-10/10/10/10/10	
WIA Title   Dislocated Workers											
Rapid Resp. (part of DW above)											
W/A little   Youth					N. C.		A STATE OF THE STA				
Local Vet Employ Rep (LVER)							8				
Disabled Vet Outreach (DVOP)											
Trade Adjustment Assistance											
Competitive skills scholarship Apprenticeships								Ŋ			
Self Employment Assistance							ø	6			
Maine Enterprise Option								b.			
Women Work & Community					The state of the s		7				
SCSEP (ABLE)			7								
SCSEP (Goodwill)			4	1		(Dhr.,	b				
Health Care Grant			b ·				- The state of the				
Individual Training											
Capacity Building											
Career & Tech Education											
Adult Basic and Literacy Educ.			The state of the s								
Comm CollInd. Recog, Cred.											
Community College Accredited											
Maine Quality Centers											
U of MeDegree Programs H of MeCertificate Programs											
Women, Work and Community											
Family Self-Sufficiency											
BRS: Divison of Blind & Vis. Imp.											
BKS; Vocational Rehabilitation DOTOJT	A STATE OF THE PERSON NAMED IN COLUMN NAMED IN										
Comm. Dev. Blk Gr. Funds				1880		J					
Corrections											
Maine Conservation JMG						(1989) 1989 1989 1989 1989 1989 1989 1989			A A A A A A A A A A A A A A A A A A A		
<	Call Control										

	Progra	am F	rogram Participant Characteristics	tics			
	# Pa	# of Partici-	Age Distribution (%)	Gender Distr. (%)	oistr. (%)	Vet- erans	Ppl w Disabil.
	ýď.	pants	14-18 19-21 21-44 45-54 55+	+ Male	Female	(%)	[%]
3	WIA Title I Adult			6			
3	WIA Title I Dislocated Workers						
R.	Rapid Response (part of DW above)				4		
2   <	WIA Hite I Youth						
, >	Employment services Veterans' Outreach						
Ö	Disabled Veterans				100		
È	Trade Adjustment Assistance				-		
ŭ	Competitive Skills Scholarship						
A	Apprenticeships						
Se	Self Employment Assistance						
	Maine Enterprise Option						
	Women Work & Community			Million			
SC	SCSEP (ABLE)						
SC	SCSEP (Goodwill)						
Ĭ	Health Care Grant						
<u>_</u>	Individual Training		Thur.				
<u>ී</u>	Capacity Building						
ျှီ	Career & Technical Education						
AC	Adult Basic and Literacy Educ.						
ပြ	Comm CollInd. Recog. Cred.		120				
<u>ა</u>	Community College Accredited						
≥ =	Maine Quality Centers		and the state of t				
) =	o of Me-Certificate Programs						
	Women Work and Community						
A	ASPIRE-TANF/ASPIRE-Pas	1					
Fa	Family Self-Sufficiency	100					
- B	BRS: Divison of Blind & Vis. Imp.						
<u>8</u> 2	BRS: Vocational Rehabilitation	100					
3	Comm. Dev. Blk Grant Funds						
Ö	Corrections						
Σ:	Maine Conservation						
3	JMG						

			Busi	ness S	<b>Business Services</b>	S					
	Maine	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	Region 7	Region 8	Total	
. O	Assoc. or Chamber of	Aroostook	Aroostook Down East Mid-Coast Greater	Mid-Coast	Greater	The Maine	Maine's	Kennebec &		Maine	- 20
ŭ <b></b>	Commerce Executives		and Acadia		Portland & Casco Bay	Beaches	Lakes & Mountains	Moose River Valley	Highlands	Statewide	
Employer Satisfaction						1					-
Chamber Activity					*	4					
Workforce Informat/Dissemination					ď						_
Print (Flyers/Paper/Newletter					Š						_
Electronic(Email or Email Nwsitr					b						
New Member Packages											_
Member Visitation Packages											_
Workforce Partner Collaberation							À				_
Committee Member Participation							A		4977		_
Website (Links to MeDOL Programs											
Press Releases/Editorials on Wkfc			4								
# of New Local/Regional Partnershps		130									_
Collaborative Wkfc Chamber Events								1			_
Speaking Opport. (Bkfsts, Semin, Wkshp)								A 043			_
Wkfc Related Round Table/Seminars											_
Speaking Opport. (Bkfsts, Semin, Wkshp)		odlike.					(				
(Member/Non Member Events)											
Job Fair or Resource FairsGeneral Pub.				1			la.				
Job FairSpec. TrgtVets, Older Wkrs, etc.	15				L.						
Business Outreach Initiatives											
Business Visitation w/ Workforce Ptnrs	ALL DITTO IN THE PARTY OF THE P										_
Business Survey Distribution	A STATE OF THE PARTY.										-
DECD Activity											-
Compatible Partnership Com											-
With Traing Ind Dingha.											_
New Trainage		The									
Incumbent Trainees											_
Jobs Created			Himmon	0							-
CareerCenter Activity:				b							-
Maine Job Bank %											_
Job Fairs											_
Recruitments	1										_
Other Stats											_
Incr. Pay Due to Training		Q.									_
Private Sector Lever. \$											-
Business Visits											_
Workforce Investments	Wall of the same o	And the state of t									_
Wkfc Prog. Participants	Ì										_
Businesses Served											_
Apprenticeships											_
Adult Ed.											
C&T Educ											1
Comm. Coll.											

WORKFORCE INVESTMENT ACT, ADULT ALLOCATIONS, PY12	TMENT ACT, AD	JULT ALLOCAT	10NS, PY12	5/23/2012										Adul	Adull Allotment to Maine: Adjusted Allocation: WESIS Share: 5% State Administration:	laine: afíon: hare:	2,687,582 2,687,582 82,668 134,379	
	(a)	(g)	(2)	(d) Adusted	(e)	(4)	(6)	€	0	0	()()	0		Loc	Local Area Distribution:	ution:	2,470,535	
	ASU % L Distribution (from LMIS)	Excess Jnemployment % Distribution (from LMIS)	Economically Disadvantaged Adult *	Carlo ala	Average % (a + b + d) / 3	Hol PY10 WIA Distribulion %	Hold Harmless Minimums A PY11 W/A Average % 6 Distribution % (f + g) / 2	nimums Average % (f + g) / 2	90% of Average (h x .9)	Hold Harmless F Deficit (i-e)	Harmless Excess (e-i) E	Excess (1x	% of Excess x Total Deficit (1x) total) Reduction		n% Dist		10% Local Area Administration Progrem Funds	90% ogram Funds
Area   Aroostook Washington TOTAL	6.1084% 2.9314% 9.0398%	7.6652% 4.0804% 11,7456%	5,610	7.421617% 4.656701% 12.078317%	7.065072% 3.889500% 10.954572%	9.512976% 6.001938% 15.514913%	8.818492% 5.559011% 14.377503%	9,1657% 5,7805% 14,8462%	8,2492% 5,2024% 13,4516%	1,1841% 1,3129% 2,4970%	0,00009% 0.0 0,00000% 0.0	0 %0000.0	0.0000% 8.2492% 0.0000% 5.2024% 0.0000% 13.4516%		8.249161% 203 5.202427% 128 13.451586% 332	203,799 128,528 332,327	20,380 12,853 33,233	163,419 115,675 289,084
Area II Hancock Penobscot Piscataquis TOTAL	4.8626% 11.8938% 1.5024% 18.3588%	5.6742% 13.0791% 2.0870% 20.8403%	2,935 10,810 1,420	3.882789% 14.300833% 1.878555% 20.062178%	4.806530% 13.124578% 1.822652% 18.753759%	5.165049% 13.318213% 2.452111% 20.935373%	4.860975% 12.456158% 2.248532% 19.565665%	5.0130% 12.8872% 2.3503% 20.2505% 1	4,5117% 11,5985% 2,1153% 18,2256%	0.0000% 0.0000% 0.2926% 0.2926%	0.2948% 2.0 1.5261% 10.3 0.0000% 0.0 1.8209% 12.8	2,0469% 0 10,5955% 0 0,0000% 0	0.0901% 4,7164% 0.4666% 12.6580% 0.0000% 2,1153% 0.5567% 19.4897%		4,716398% 116 2,658017% 312 2,115289% 52 19,489705% 481	116,520 312,721 52,259 481,500	11,652 31,272 6,226 48,150	104,868 281,449 47,033 433,350
Area III Androscoggin Franklin Kennebee Oxford Somersel TOTAL	8,3861% 2,5088% 8,5037% 5,2912% 4,8698% 29,5596%	8.5679% 3.1025% 7.7469% 6.8890% 6.6253% 32.9316%	6,165 2,215 6,990 3,650 4,225	8,155841% 2,930282% 9,247255% 4,8295681% 5,589364% 30,751422%	8,369947% 2,847194% 8,499285% 5,669627% 5,694821% 31,080874%	7.986200% 4.007591% 7.980769% 6.095192% 7.882443% 33.7622259%	8.008297% 3.736284% 8.024607% 5.791021% 7.141966% 32.702175%	8.0022% 3.8719% 8.0027% 5.9431% 7.4122% 33.2322% 26	7.2020% 3.4847% 7.2024% 5.3488% 6.6710% 29.90909%	0.0000% 0.6375% 0.0000% 0.0000% 0.9762%	1,1679% 8,1 0.0000% 0,0 1,2969% 9,0 0,03208% 2,2 0,0000% 0,0	8,1087% 0 0,00009% 0 9,0038% 0 0,0000% 0 0,3400% 0	0.3571% 8.0129% 0.0000% 3.4847% 0.3865% 8.1028% 0.0881% 5.5715% 0.0000% 6.6710% 0.8516% 31.8430%	0	8.012891% 197 3.484744% 86 8.102813% 200 5.571543% 137 6.670894% 164 31.842975% 788	197,961 86,092 200,183 137,647 164,809 786,692	19,796 8,609 20,018 13,765 16,481 78,669	178,165 77,483 180,165 123,882 148,328 708,023
Area IV Cumberland Knox Lincoln Sagadaloc Valdo York TOTAL	17.9649% 2.7407% 2.3728% 2.3255% 3.0628% 14.5764%	11,7446% 2,4603% 2,0743% 1,7995% 3,4464% 12,6574% 34,4825%	11,325 2,700 1,500 1,600 2,725 7,950	14.982140% 3.571801% 2.345121% 2.116682% 3.604974% 10.517264%	14.897213% 2.924300% 2.254007% 2.080561% 3.371325% 12.683355%	10.644608% 2.593190% 1.753524% 1.476653% 3.467420% 9.852084% 29.787489%	12.510113% 2.703658% 1.911061% 1.550810% 3.392825% 11.186191%	11.5774% 10.2.6484% 1.8323% 1.5631% 3.4301% 10.5181% 13.51% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181% 10.5181%	10.4196% 2.3836% 1.6491% 1.4074% 3.0871% 9.4672% 28,4140%	0.0000% 0.0000% 0.0000% 0.0000% 0.0000% 0.0000%	4,4776% 31.( 0.5407% 3.7 0.6049% 4.7 0.6732% 4.6 0.2842% 1.9 3.2161% 22.3	31.0872% 1 3,7541% 0 4,2000% 0 4,6739% 0 1,9739% 0 22,3291% 0	1.3689% 13.5283% 0.1653% 2.7599% 0.12689% 0.2058% 1.8748% 0.0869% 1.2644% 0.0863% 1.1001% 0.8832% 11.7001% 0.8832% 13.2157%		13.528331% 334 2.758993% 68 2.069084% 51 1.1874752% 48 3.284435% 81 11.700124% 288 35.215699% 870	534,222 68,162 51,117 46,316 81,143 288,056 870,016	33,422 6,816 5,112 4,632 4,632 8,114 28,606 87,002	300,800 61,346 46,005 41,685 73,028 260,150 783,015
	100,00%	100.00%	75,590	100.00%	100.00%	100,00%	100.00% 100.00%	100.00%	%06	4.40%	4.40% 14.40% 100.00%	%00.0	4,40% 100,00%		100.00% 2,470,535	3,535	247,054	2,223,482

Information obtained from US 2000 Census data.

# WORKFORCE INVESTMENT ACT, DISLOCATED WORKER ALLOCATIONS, PY12

5/23/2012

				Disk	Dislocated Worker Allotment to Maine:	lment to Maine:	3,411,860	
					State Rapid Response: WESIS Share: 5% State Administration Local Area Formula Distribution:	State Rapid Response: WESIS Share: 5% State Administration ea Formula Distribution:	852,965 82,669 170,593 2,305,633	
	(a)	(q)	(c)	(p)	(e)			
	Average Weekly Number of Continued	Average Annual Unemployment Civilian Labor Force Estimates for Maine and all	Average Monthly Durable & Nondurable Goods Manufacturing Employment	Unemployment Insurance Program Exhaustees in				
	partials)	Counties	in Maine	Maine - 2010				
	Insured	Unemployment	Declining Industries	Long-Term Unemployed	Allocation Rates (a+b+c+d)/4	Total Distribution	10% Admin	Program Funds
Acctacon		6 108785%	7 220139%	7 442182%	6.845889%	157 841	15.784	142.057
Washington	3.215019%	2.930773%	3.010177%	3.727188%	3.220789%	74,260	7,426	66,834
TOTAL	9.827468%	9.039558%	10.230316%	11.169370%	10.066678%	232,101	23,210	208,891
T and Co	5 609181%	4 861763%	6 909480%	6 129334%	5.877440%	135.512	13.551	121,961
Penobscot	12.715665%	11,993792%	10.905196%	12.067634%	11.920572%	274,845	27,484	247,360
Piscataquis	1.436498%	1.503284%	2.506695%	1.512011%	1.739622%	40,109	4,011	36,098
TOTAL	19.761344%	18.358839%	20.321371%	19.708979%	19.537633%	450,466	45,047	405,420
dipococipa	8 466076%	% 386270%	15 318603%	8 311994%	10 120983%	233.353	23 335	210.017
Franklin		2.508482%	3.374397%	2.576922%	2.759094%	63,615	6,361	57,253
Kennebec	8.451775%	8.503573%	2.099625%	8.047799%	6.775693%	156,223	15,622	140,600
Oxford	5.198754%	5.291273%	8.859132%	5.722879%	6.268009%	144,517	14,452	130,066
Somerset	5.388766%	4.868981%	5.838243%	5.466813%	5.390701%	124,290	12,429	111,861
2	200000	2000000						
Cumberland	16 538725%	17 965423%	15.575790%	15.518433%	16.399593%	378.114	37.811	340.303
Knox	2.903397%	2.741283%	1.628281%	2.881762%	2.538681%	58,533	5,853	52,679
Lincoln	2,439766%	2.373132%	0.407070%	2.483437%	1.925851%	44,403	4,440	39,963
Sagadahoc	2.477768%	2.326211%	0.000000%	2.154209%	1.739547%	40,108	4,011	36,097
Waldo	3.215019%	3.062514%	0.107124%	3.430476%	2.453783%	56,575	5,658	50,918
York	12.753667%	14.574460%	16.239957%	12.526928%	14.023753%	323,336	32,334	291,003
TOTAL	40.328342%	43.043023%	33.958222%	38,995244%	39.081208%	901,069	90,107	810,962
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Washington	9.040%	11.7456%	986	9.974564%	3,542451%	14,829312%	13.836257%	14,382765%	12,844507%	2.6912% 0	0.0000%	0.0000%		12.9445%	12.944507%	337,470	33,747	303,723
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TOTAL	18.359%	20,8403%		23.909884%	21.036328%	22.051957%	20,780057%	21.416007%	19.274406%	0.3517% 2	2,1136% 14	14.7377%	0.6399% 20.	20.7482%	20.748173%	540,914	54,091	486,822
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Androscoggin	8.386%	8.5679%	2,530	9.193314%	8.715771%	8.330817%	8.334184%	8.332501%	7.489250%	S				8.3475%	8.3474912%	217,623	21,762	195,860
Franklin	2.509%	3,1025%	1,330	4.832849%	3.481383%	4.216832%	3.922967%	4.069900%	3.662910%	0.1815% 0	0.0000000	0.00000%	0.0000% 3	3.5629%	3.6629096%	95,494	9,549	35,944
Dylord	5.281%	6.8890%	1.015	3 688227%	5.289476%	5.769788%	5.471257%	5.620523%	5.058470%					5,2195%	5,2195428%	136,076	13.608	122,468
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TOTAL	29,558%	32.9316%		31.268169%	31,253123%	33.662279%	32.595696%	33.128987%	29.816088%	1,2968% 2	2,7358% 18	0 %0920'61	0,8282% 31	31,7237%	31,723686%	827,050	82,705	744,345
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Sagadahoc	2.326%	1.7995%	5	1,489826%	1,871609%	1.313523%		1.390858%	1.251772%	6		4.3219%		1.6840%	1,6839641%	43,902	4,390	39,511
Waldo	3.063%	3.4464%	780	2.834302%	3.114434%	3.236438%	3.168292%	3.202365%	2.882129%	0.0000% 0	0.2323% 1	1.6198% 0	0.0703% 3	3.0441%	3.0441077%	79,361	7,936	71,425
York	14,575%	12.9574%	2,220	8,066860%	11.866553%	9.245315%		9.879131%	8.891217%	0.0000% 2	2,9753% 20	20,7461% 0	0.9007% 10,	0,9658%	10.9658234%	285,884	28,588	257,295
TOTAL	43.042%	34.4825%		34,847384%	37.457195%	29.356452%	32.787990%	31.072221%	27.964998%	0.00000%	9.4922% 66	66.1862% 2	2.8736% 34	34,5836%	34.583601%	801,609	90,161	811,448
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	100.00%	100.00%	27,520	100,00%	100.00%	100.00%	100.00%	100.00%	%000000000	4.3417% 14	.3416%	4.3417% 14.3416% 100.00% 4.3417%		100.00%	100.00% 2,607,042	2,607,042	260,704	2,346,338

\* Data from 2000 census.



# STATE OF MAINE DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT SERVICES 55 STATE HOUSE STATION AUGUSTA, MAINE 04333-0055

ROBERT J. WINGLASS COMMISSIONER

# State of Maine Common Measures Waiver Request

The Maine Department of Labor's Bureau of Employment Services (MDOL/BES) in consultation with the Statewide Workforce Investment Board and the four local area Workforce Investment Boards (Aroostook/Washington Counties Workforce Investment Board, Tri-County Workforce Investment Board, Central/Western Workforce Investment Board, and Coastal Countries Workforce Investment Board) submits this request for a waiver of the legal requirements to utilize the 17 WIA performance measures. The waiver would allow the exclusive use of the Common Performance Measures for performance accountability and reporting for the WIA Adult, Youth and Dislocated Worker programs. Should the waiver be granted, this would allow workforce regions focus additional resources on increased training opportunities and regional workforce strategies. MDOL/BES seeks a waiver to be allowed to replace the existing 17 measures (15 core and 2 customer satisfaction) with the Common Measure delineated in TEGL 17-05 of nine measures of performance for employment and training activities.

This waiver request follows the format indentified in WIA section 189(i)(4) and 20 CFR 661.420 and meets the standard for waiver approval at WIA Final Requirements 20 CFR 61.420(e). This waiver expires on July 1, 2012. The State of Maine requests an extension of this waiver until June 30, 2013.

Date: July 26, 2012

State: Maine

Agency: Maine Department of Labor/Bureau of Employment Services

Statutory and/or regulatory requirements to be waived

The Maine Department of Labor's Bureau of Employment Services (MDOL/BES) in consultation with the Statewide Workforce Investment Board and the four local area Workforce Investment Boards submits this request for a waiver of WIA, Section 189(i)(4)(b) (General waivers of statutory or regulatory requirements) and WIA Section 136(b) which provides that state performance measures for WIA shall consist of 17 specific core indicators of performance and customer satisfaction.

MDOL/BES seeks a waiver to be allowed to replace the existing 17 measures (15 core and 2 customer satisfaction) with the Common Measure delineated in TEGL 17-05 to 9 measures of performance for employment and training activities.

The 9 measures would be:

- 1. Adult Entered Employment
- 2. Adult Retention
- 3. Adult Average Earnings
- 4. Dislocated Entered Employment
- 5. Dislocated Retention
- 6. Dislocated Average Earnings
- 7. Youth Placement in Employment/Education
- 8. Youth Attain Degree/Credential
- 9. Youth Numeracy & Literacy

MDOL/BES is confident that this waiver, to track only the common measures and the data collected for them, will provide the necessary information to effectively oversee WIA programs; simplify and streamline performance accountability and reporting; improve program management and performance; enhance Maine's ability to assess the effectiveness and impact of workforce s development efforts; and provide a more effective means of determining performance.

Maine has the capability with the current One Stop Operating System to capture and report common measures. MDOL/BES will be implementing a new data management system by July 1, 2013. The implementation of the common measures waiver will greatly simplify and streamline the design of this new system by providing the developers as well as the end users an efficient method for service delivery. The common measure waiver implementation will achieve the overarching goal of a improving the integration of Maine's workforce development system with a streamlined data collection process capable of assessing our performance at the system-wide and individual client levels.

The approval of the common measures waiver will provide an opportunity to better achieve the performance measures for youth of increased accountability for employment and/or increased secondary and post–secondary education outcomes. At present, the workforce development system that serves youth has seven measures to achieve, which fragments these core youth goals. With three measures to achieve, the system can better emphasize the youth program's vision of the obtainment of meaningful employment and/or higher education.

MDOL/BES will oversee and evaluate effective approaches to identify and address obstacles, if any, and review applicable policies and procedures and modify them accordingly.

Actions undertaken to remove state or local barriers

There are no state or local statutory or regulatory barriers to implementing the proposed waiver

# Goals and expected programmatic outcomes of waiver

MDOL/BES seeks a waiver to be allowed to replace the existing 17 measures (15 core and 2 customer satisfaction) with the Common Measure delineated in TEGL 17-05 of nine measures of performance for employment and training activities.

The mission/vision of Maine's workforce development system is that economic success will be enhanced through world-class workforce development, contributing to a high quality of life and prosperous business communities. Employers will have a competitively skilled workforce and workers will have quality employment and opportunities for career advancement.

Maine's intent is to simplify and streamline the performance accountability system.. The value of implementing the common performance measures is the ability to describe, in a similar manner, the core purposes of the workforce system: how many people obtain jobs (entered employment); how many stay employed (retention); and how much do people finding employment earn (average earnings).

Multiple sets of performance measures have burdened Maine with the requirement to report performance outcomes based on varying definitions and methodologies. By minimizing the different reporting and performance requirements, common performance measures contribute to facilitating the integration of service delivery, reducing barriers to cooperation among programs, and enhancing the ability to assess the effectiveness and impact of the workforce investment system. This not only cost effective but is more transparent to our business partners and service providers. In addition the waiver will:

- Provide for a simplified and streamlined measurements system, which is not only cost effective but is more transparent to our business partners and service providers.
- Provide for making the system more demand-driven, governed by business-led workforce investment boards. The existing 17 measures are difficult for staff to manage and board members to understand and successfully monitor.

# Individuals impacted by the waiver

This waiver will benefit local Boards, Maine CareerCenters, employers, customers and service providers. The following are expected to be additional impacts of the proposed waiver:

 Program participants will benefit because local Boards will have added flexibility and resources to design programs based on regional needs and priorities.

- More customers will have access to training services.
- Businesses will benefit from regional strategies and greater integration of programs.

# Process for monitoring progress in implementation

On an annual basis, comprehensive compliance monitoring is conducted onsite for each Local area board and designated WIA service provider. These annual monitoring reviews ensure client enrollments and service levels are maintained, and program expenditures and performance outcomes are thoroughly reviewed for compliance. State program monitors conduct quarterly reviews to ensure that contract requirements are met for all WIA programs in each local area. Should this waiver request be granted, BES will ensure regular review of the WIA Adult, Dislocated Worker and Youth programs to monitor program outcomes. BES will modify its current monitoring policy and procedures to include the waiver as described in this request.

# Notice to affected local boards

The waiver request was developed in response to concerns expressed by the Local Boards and in conjunction with the Local Boards. Guidelines outlining the Common Measure waiver requests were electronically submitted to the four LWIBs requesting comments and/or questions on their understanding of the waiver and their input on how they plan to implement the waiver if approved. Their comments and input were included in the completed waiver request. Endorsement of this waiver request has been received from all four LWIBs.

# **Public Comment**

The completed waiver was posted to the home page of the Maine Department of Labor/Bureau of Employment Services (BES) for public comment prior to the formal submission to USDOL-ETA. <a href="http://www.maine.gov/labor/">http://www.maine.gov/labor/</a> and on the individual websites of each LWIBs.

# Maine Dept. of Labor Workforce Investment Act

# Request to Waive Implementation of Subsequent Eligibility of Training Providers

The Maine Department of Labor, Bureau of Employment Services, the state administrative entity for the Workforce Investment Act is currently operating under an approved waiver to delay the application of "Subsequent Eligibility of Training Providers" requirement for all students expires on July 1, 2012. The state is requesting an extended waiver to postpone the application of "Subsequent Eligibility of Training Providers" requirements for "all students" until June 30, 2013.

The basis for this request is to allow Maine additional time to establish a statewide system for consistently and uniformly collecting performance information among all training providers. Despite that an aggressive effort has been underway since July 2001 to design a system that promotes the intent and spirit of WIA to provide informed customer choice and provider accountability, training providers are struggling to adopt uniform systems for collecting and reporting performance information for "all students". In consultation with the state's relatively small training provider community we are committed to fulfilling the requirements of the Act and will continue in accordance with Maine's plan to implement a Subsequent Eligibility application, review and approval process.

This waiver request is being submitted in the format identified in WIA section 189(i)(4)(B) and WIA Regulations 661.420(c).

- A). Statutory Regulations to be Waived: Workforce Investment Act (WIA) Section 122(c)(5) and WIA regulations 663.530 citing the provision that the time limit for initial eligibility may be waived for an additional year.
- B). Goals to be Achieved as a Result of the Waiver: The goals to be achieved by the waiver are:
  - Improve efforts of data collection from training providers.
  - 2. Increase the amount and accuracy of WIA performance information for training providers by providing better technical assistance.
  - Allow the CareerCenters more time to become more familiar with the Maine CareerCenter Consumer Report and Individual Training Account system.
  - Continue to offer customer choice while working with the Department of Labor to identify possible revisions to this section of the Act.
- C). State or Local Statutory or Regulatory Barriers: There are no existing state or local statutory or regulatory barriers to implementing this request.

D). Description of the Waiver Goal and Programmatic Outcomes: The purpose for requesting this waiver is to allow for the programs that are currently eligible to be available to CareerCenter customers who have been issued an Individual Training Account to get the skills training that they need. We are very concerned that a strict enforcement of Subsequent Eligibility guidelines would drastically reduce the limited number of training providers available to our customers.

Maine is a rural state consisting of four Local Workforce Investment Areas and 12 CareerCenter sites. Currently, the number of training providers that have been approved under the Initial Eligibility guidelines is 500. Collectively, these providers are approved for approximately 3,000 programs. Providers include all of Maine's community colleges, a significant number of public and private for profit schools, colleges and universities, Adult Education and Regional Vocational Education providers and non-profit community-based organizations.

The vast majority of providers do not have internal systems or capacity to produce the "all student" performance data in the specified timeframe to meet the re-certification requirements under Subsequent Eligibility. Moreover, for many of the programs that have been approved the data for the number of WIA supported students is grossly insufficient due to the timeframes that they received the training and the calculation of performance outcomes at exit. A complete list of eligible training providers is located at <a href="http://198.182.162.220/mecrs/training.asp">http://198.182.162.220/mecrs/training.asp</a>.

The Maine Department of Labor has worked very closely with the four Local Workforce Investment Areas, the Center for Workforce Research and Information (formerly, the Division of Labor Market Information Services and the Department of Education) to market the concept of the Maine CareerCenter Consumer Report System. Throughout the past year we have met with representatives from most of the major educational institutions in the state. We have held several training provider local forums throughout the past year. In addition, the Bureau staff have spent most of the past year providing on-site technical assistance for providers. The Bureau is committed to continuing this work throughout the next program year.

Maine's experience with implementing the subsequent eligibility requirements of the Act mirrors that of most other states. During the series of regional provider forums held this year the concerns of the training providers were largely echoed throughout the state:

 Maintenance and collection of the "all student" performance data prescribed by the Act will result in a level of financial and human

- resource investment that does not come close to matching the return on investment.
- 2. The potential of violations of student privacy is not necessary protected under the Family Educational Rights Privacy Act.
- Most public and private not-for-profit institutions are facing considerable budget issues and have been working on processes for streamlining student information gathering and record-keeping systems. The WIA requirements would necessitate adding a considerable amount of data collection and intrusive customer follow-up activity.
- 4. Many providers, including the adult and regional vocational education, technical college and university system offer non-credit course/programs that are usually the most appropriate for WIA supported student. The "all student" data collection requirements for these courses proves to be extremely cumbersome because students are only interested in obtaining the specific skill instruction and leaving the system.

We have listened to and emphasized with these legitimate concerns. At the same time, we fully support the spirit and intent of the Act to afford customer choice and to hold the system accountable for performance and outcomes. Granting this waiver request will provide Maine with the additional time necessary to work with the Department of Labor and the state's training provider community to identify methods for collecting "substantially similar" performance indicators. In addition, we are committed to promoting and supporting initiatives that offers continued customer choice and system accountability through this waiver plan as follows:

- Continue to promote the Maine CareerCenter Consumer Report system through an ongoing series of public meetings with training providers in an effort to increase the number of providers and programs that participate in the system (July 1, 2011 through June 30, 2012).
- Provide training provider on-demand technical assistance to assist with navigating the internet-based application and subsequent performance reporting process. (Ongoing)
- 3. Continue working with the Center for Workforce Research and Information and training providers to develop an effective mechanism for gathering information and reporting data using the U.I. wage record system. (Ongoing).
- 4. Work collaboratively with the Local Workforce Investment Boards to develop a better understanding at the local CareerCenter level for utilizing the ITA process and Maine CareerCenter Consumer Report system through staff development and training (Ongoing)

E). Description of Individuals Impacted by the Waiver:

The waiver will positively impact all customers. Individual customers will continue to have choices in selecting training programs that meet their skill development needs. Employers will be assured that they are receiving a skilled and trained workforce. Local Workforce Boards will have an opportunity to evaluate effective measures of training provider performance. Training providers will be given the opportunity to develop meaningful measures of student experiences and outcomes.

F). Description of the Process to Monitor Progress:

The Maine Department of Labor, Bureau of Employment Services will be the entity responsible to implement and monitor the goals and action plans outlined in this request. The BES maintains primary responsibility to meet the goals identified in this plan within the timeframes as established.

- G). Opportunity for Local Boards to Comment on Waiver Request:

  The Bureau of Employment Services consulted with the four local board directors on March 21, 2011 and discussed the specific contents of this waiver request. Given that the local areas had routinely initiated a request for a waiver to extend the timeframe for initial eligibility, they unanimously support the contents of the waiver plan.
- H). Public Comment on This Waiver Request:

While there has been formal effort to solicit public input for this waiver request, the concerns that this request addresses have been the subject of local and state workforce board meetings that are open to the public.





# STATE OF MAINE DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT SERVICES 55 STATE HOUSE STATION AUGUSTA, MAINE 04333-0055

ROBERT J WINGLASS COMMISSIONER

# State of Maine Waiver Request Customized Training: 50% of the Cost of Training Employer Match Utilizing WIA Program Funds

The Maine Department of Labor's (MDOL)Bureau of Employment Services (BES) in coordination with the Statewide Workforce Investment Board and the four local area Workforce Investment Boards (Aroostook/Washington Counties Workforce Investment Board, Tri-County Workforce Investment Board, Central/Western Workforce Investment Board, and Coastal Countries Workforce Investment Board) submits this request for a waiver to change the required 50% employer contribution for customized training under WIA 101 (8)(c) & (31)(B) to a contribution on a sliding scale, ranging from 10 to 50 percent, based on the guidance in TEGL 13-06 (Increased Use of Flexibility Provisions in WIA) Through this approach, the employer match would range from a minimum of 10% to a maximum of 50%. based on the size of the business. This waiver expires on Jul 1, 2012. The State of Maine requests an extension of this waiver until June 30, 2013.

Date: July 26, 2012

State: Maine

Agency: Maine Department of Labor/Bureau of Employment Services

# Statutory and/or regulatory requirements to be waived

The MDOL BES in coordination with the Statewide Workforce Investment Board and the four local area Workforce Investment Boards submits this request for a waiver of WIA, Section 189(i)(4)(b) (General waivers of statutory or regulatory requirements) and WIA Section 101(8), 20 CFR Section 633.715, and 20 Section 633.720 (Definition of customized training and requires employers to pay not less than 50% of the cost of training).

# Actions undertaken to remove state or local barriers

There are no state or local statutory or regulatory barriers to implementing the proposed waiver.

# Goals and expected programmatic outcomes of waiver

The mission/vision of Maine's workforce development system is that economic success will be

The Maine Department of Labor provides equal opportunity in employment and programs.

Auxiliary aids and services are available to individuals with disabilities upon request.

prosperous business communities. Employers will have a competitively skilled workforce and workers will have quality employment and opportunities for career advancement.

Customized Training optimizes the resources available under workforce development initiatives to meet the needs of employers and job seekers. However, the current 50% employer match requirement limits the ability to offer the maximize benefits of customized training to many local employers. These added benefits would include:

- o Increase the percentage of employers using customized training as a means to hire and retain skilled workers.
- o Increase the percentage of workers trained and hired through customized training.
- o Increase the flexibility at the local level to service business and industry through a demanddriven approach to their specific needs.
- o Equip workers with the relevant job training skills that lead to a more productive and there for profitable business.
- Improve the ability of the LWIBs to respond to industry changing needs more expediently and impactful.
- LWIB will increase their participation rates for skilled job seekers, that received training and found employment

Local employers too often conclude that 50% match requirement creates costs that outweigh the benefits of participating in the WIA customized training programs. Allowing employers to apply the sliding scale to determine the match amount will increase employer participation in WIA customized training programs at a local level. The proposed sliding scale for the employer match will create the necessary flexibility for employers to provide the required match at a rate that more appropriately represents a particular business' cost benefit ratio of contributing to a match amount to receive skilled employees. The sliding scale will answer employers' primary reason for not participating in the training programs because of their Return on Investment (ROI) concerns especially for those small employers of less than 50 employers with limited resources but a great need for skilled workers.

In the State of Maine, as indicated in the chart below, 91% of the employers employ less than 20 workers. Of these 91%, 34% of the entire Maine workforce is employed in these extremely small businesses. These small businesses have in the past been unable to benefit from the WIA customized training programs because of their limited resources and the requirement that they match at least 50% of the wages while the employee is participating in training.

# Private Employers, Employment by Size of Company

Quarterly Census of Employment & Wages, 2011

	Number of Employees					Comment
	1-19	20-49	50-99	100-249	>250	
Percent of Employers	91%	6%	2%	1%	0.3%	Companies employing less than 20 workers represent 91% of the private employers in Maine and 34% of private employment. Companies employing > 250 workers represent less than a
Percent of Employment	34%	19%	13%	14%	20%	percent of the employers, but 20% of employed.

The proposed employer match sliding scale will range from 10% to 50% based on the following employer size:

- o Match up to 90% for employers with 50 or fewer employee; and
- o Match up to 75% for employers with 51-200 employees; and
- o Match up to 50% for employers with 200 or more employees.

# Individuals impacted by the waiver

Customized Training optimizes the resources available under workforce development initiatives to meet the needs of employers and job seekers.

It is the purpose of this waiver is to enable many small businesses to benefit from the WIA services and to enable the employees of these small businesses the opportunity to update their skills to match industry demand.

# Process for monitoring progress in implementation

The MDOL/BES will monitor the WIA customized programs. Technical assistance during the implementation phase of the waiver will cover areas as procurement, contracting and program design. Each LWIB and the MDOL/BES will monitor performance reports and compare actual performance with contract benchmarks, MDOL/BES will continue to make adjustments to monitoring performance requirements to ensure that performance goals and objectives are met for all WIA programs.

# Notice to affected local boards

This request was developed at the request of the Statewide Workforce Investment Board and all four local workforce boards. A draft copy of the customized training waiver requests was electronically submitted to LWIB requesting comments and/or questions on their understanding of the waiver and their input on how they plan to implement the waiver if approved. Their comments and input were included in the completed waiver request. Endorsement of this waiver request has been received from all four LWIBs.

# **Public Comment**

The completed waiver was posted to the home page of the Maine Department of Labor/ Bureau of Employment Services (BES) for public comment prior to the formal submission to USDOL-ETA. <a href="http://www.maine.gov/labor/">http://www.maine.gov/labor/</a> and on the individual websites of each LWIBs.



The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available to individuals with disabilities upon request.

# **ATTACHMENT 21**



# STATE OF MAINE DEPARTMENT OF LABOR BUREAU OF EMPLOYMENT SERVICES 55 STATE HOUSE STATION AUGUSTA, MAINE 04333-0055

ROBERT J. WINGLASS

# State of Maine Waiver Request Incumbent Worker Training using WIA Program Funds

The Maine Department of Labor's Bureau of Employment Services (BES) in coordination with the Governor's Workforce Investment Board and the four local area Workforce Investment Boards (Northern Maine Workforce Investment Board, Tri-County Workforce Investment Board, Central/Western Workforce Investment Board, and Coastal Countries Workforce Investment Board) submits this request for a waiver allowing a portion- (10% for Adult only) or (10% for DW only) or (10% for Adult and 10% for DW) – to be utilized to operate an incumbent worker training program at the local workforce investment board (LWIB) level. This waiver expires on July 1, 2012. The State of Maine requests an extension of this waiver until June 30, 2013.

These funds would be utilized as statewide activities funding for incumbent worker programs specifically for layoff aversion at the local level. Employers will be selected where economic indicators demonstrate a need for incumbent worker training as part of an employer outreach strategy to avert a layoff occurrence. By the time the State receives a WARN notice, it is often too late for incumbent worker training to avert the layoff. Early warning of layoffs will most often occur at the local level through established partner networks or because of longstanding relationships with individual employers. As an example, the LWIBs have developed local business assistance teams whose main responsibility is to stay connected to the local business community. Through this communication outreach approach, the LWIBs can pro-actively assess potential human resources needs to local businesses and recommend worker retention strategies such as the incumbent skills training. Criteria will be collaboratively developed by the LWIBs in collaboration with state agencies, service providers, organized labor and economic development agencies, etc.

To avert layoffs, training will provide the skills that result in the employer being able to adjust to a changing economic climate by providing the jobs necessary to do so. It will be the responsibility of the LWIBs to set priorities for the use of incumbent worker training as part of a business outreach and layoff aversion strategy.

Date: July 26, 2012

State: Maine

Agency: Maine Department of Labor/Bureau of Employment Services

Statutory and/or regulatory requirements to be waived

The Maine Department of Labor's Bureau of Employment Services (BES) in coordination with the Governor's Workforce Investment Board and the four local area Workforce Investment Boards submits this request for a waiver of WIA Section 134 (use of funds for employment and training activities), as well as a waiver from the provisions of WIA 20 CFR 663.220(b) and 20 CFR 663.310.

# Actions undertaken to remove state or local barriers

There are no state or local statutory or regulatory barriers to implementing the proposed waiver.

# Goals and expected programmatic outcomes of waiver

The mission/vision of Maine's workforce development system is that economic success will be enhanced through world-class workforce development, contributing to a high quality of life and prosperous business communities. Employers will have a competitively skilled workforce and workers will have quality employment and opportunities for career advancement.

The implementation of the incumbent worker program waiver will enhance overall WIA programs and activities at the local level. Providing additional flexibility for the use of the formula funds will enable the LWIBs to tailor their programs to meet demands of local employers, and the needs of incumbent workers.

- Target industries such as advanced manufacturing, information technology, marine occupations, wood products production and health care occupations which offer high skill and high wage jobs, as part of Maine's layoff aversion strategy
- o Training will be provided to affected incumbent workers at risk of layoff due to the skill requirements they need in order for the employer to remain competitive.
- o Enhance the LWIBs ability to respond more quickly and efficiently to immediate local needs of employers and workers to avert a layoff.
- o Supports projects that further job retention and career development for improved economic self-sufficiency for the employed workers including those most vulnerable to job loss.
- o Investing public resources to support occupational, technical and/or soft skills training of incumbent workers as a practical layoff aversion strategy.
- o Provides support to projects that increase the capacity of businesses to access and retain skilled workers.

The granting of this waiver would ensure that the critical workforce needs of underemployed workers and workers whose skills require upgrading in order to maintain employment are met, as well as strengthening the Department's workforce investment system by addressing the needs for more skilled workers and facilitating business retention. With the economic downturn in Maine and across the country, it is in the best interest of Maine its employers and citizens to seek a waiver allowing LWIBs to operate an incumbent worker program at the local level.

The waiver provides the flexibility for the LWIBs to increase their services and become more responsive and innovative in meeting the needs of employers in the local area. It is anticipated that the waiver will enhance the ability of the LWIBs to improve job retention, and avoid layoffs. If approved, this waiver will allow the LWIBs the opportunity to provide incumbent worker training as an initial course of active in a layoff aversion strategy.

## Individuals impacted by the waiver

This waiver will benefit the participating employers and incumbent workers. For the purposes of this program, an incumbent worker is defined as a worker currently employed in a Maine business that:

- o Does not have marketable, in-demand skills
- o No formal layoff notice has been received.
- o The new skills can be attained in a reasonable period of time
- o There exits a strong possibility of a job, either with the existing employer or new employer if the worker attains new skills.

# Process for monitoring progress in implementation

The Maine Department of Labor/Bureau of Employment Services will monitor the implementation and impact of the waiver through quarterly and fiscal reviews and reports. The LWIBs will be required to report on the following participant data:

- o Number of participants
- o Number of participants who complete training
- o Type of training provided
- o Length of training provided
- o Number of program participants who received a credential or certificate
- o Program participant's wage at completion of training and six months after completion
- o Number of participants whose job classification changed or skills were upgraded.

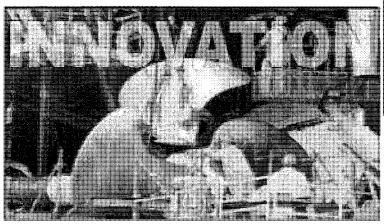
# Notice to affected local boards

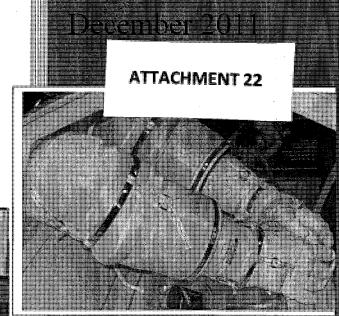
Guidelines outlining the Incumbent Worker training waiver requests were electronically submitted to LWIB requesting for comments and/or questions on their understanding of the waiver and their input on how they plan to implement the waiver if approved. Their comments and input were included in the completed waiver request. Endorsement of this waiver request has been received from all four LWIBs.

# **Public Comment**

The completed waiver was posted to the home page of the Maine Department of Labor/ Bureau of Employment Services (BES) for public comment prior to the formal submission to USDOL-ETA. <a href="http://www.maine.gov/labor/">http://www.maine.gov/labor/</a> and on the individual websites of each LWIBs.

Maine's Industry Partnership/Sector Strategy









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#### MAINE DEPARTMENT OF LABOR 54 STATE HOUSE STATION AUGUSTA, MAINE 04333-0054

## COMMENTS FROM MAINE'S COMMISSIONER OF LABOR

Maine's industries represent 46,400 private sector companies with 478,600 employees and producing an output of \$51.6 billion to the state's economy. In order to sustain and grow Maine's economy, a strategy to address the workforce skills shortage is vital. The Maine Industry Partnership model (MIPI) is key to a sustainable model that will impact every sector in Maine from manufacturing to health care to tourism to forestry. This model is applicable and replicable to all sectors in Maine.

Even during the current period of high statewide unemployment, many employers report that skilled jobs are going unfilled due to a lack of qualified candidates. The pipeline to fill current openings for skilled labor or to replace skilled incumbents who will soon retire is inadequate. At the same time, sectors such as manufacturing, production workers—both employed and unemployed—are often not adequately prepared to adapt to changes in an evolving manufacturing work environment.

To meet these challenges, Maine Industry Partnership/Sector Strategy proposes to strengthen and revitalize all sectors by increasing public awareness of opportunities, providing high-quality training, and conducting regular reevaluations of the changing face of the economy.

Specifically, the Maine Manufacturing Industry Council for Excellence will serve as a clearinghouse for information regarding advanced manufacturing career opportunities in Maine. Its overriding mission will be to develop long-term strategies designed to increase the pipeline of skilled workers and grow the number of manufacturing jobs in Maine. The advanced manufacturing Industry Partnerships will join with industry representatives, worker representatives, economic development organizations, state and local workforce agents, and educators to enhance the skills of the available workforce to meet industry needs.

Together, the Industry Partnerships/Sector Strategy will address the long- and short-term needs of industry and the workforce. In coordination with Maine educational institutions, we will develop programs designed to spark the interest of today's students regarding Maine's sectors and provide the training and education required for both students and workers to reach their employment and career goals.

Robert J. Winglass Commissioner

## EXECUTIVE SUMMARY

The recent economic turmoil has prompted a renewed focus on advanced manufacturing occupations. Once thought of as labor-intensive, monotonous, and dangerous, manufacturing has grown into an industry now defined by advanced technology, innovation, and product design and development—all requiring a highly skilled workforce. The evolution of this industry has resulted in a unique set of challenges that employers are now facing in an effort to build and maintain a capable and competitive employee base. A comprehensive workforce strategy that builds and sustains a highly skilled pool of workers is necessary to overcome these challenges. The Maine Manufacturing Industry Council for Excellence is dedicated to creating a robust and skilled workforce that meets Maine's short- and long-term advanced manufacturing workforce challenges.

The Manufacturers Association of Maine (MAMe), who will lead and coordinate the Industry Partnerships, in collaboration with local and state entities, has been building the foundation for the Maine Industry Partnership/Sector Strategy.

In May 2011, MAMe hosted a statewide Manufacturing Summit in Owls Head, Maine. The purpose of the summit was as follows:

- bring manufacturing sectors together to network
- focus their resources
- share best practices from other industries
- indentify issues and challenges (both by specific sectors as well as the manufacturing sector as a whole)
- report annually on issues, challenges, and solutions.

The manufacturing summit report that will be presented to the Governor will provide guidelines for policy development, resources for Industry Partnership/Sector Strategy development, and the recommendation that all manufacturing sectors network as one industry voice.

This report consists of the tools and strategies for developing this comprehensive approach and provides a synthesis of the two workforce strategies. The report outlines the separate but related activities and demonstrates how the independent initiatives influence one another. Data collected in this proposal comes from quarterly and annual CWIR reports, the MAMe Manufacturing Data System, and other resources.

In an effort to build and retain a skilled workforce and increase the available labor pool, the Industry Partnerships will address workforce priorities, such as pipeline and career ladder development. By collaborating on best practices and addressing some of the industry's most fundamental training and skill development needs, Maine's Industry Partnerships will create a unified and comprehensive effort. It is our goal for the tools, resources, human-capacity building, and organizational structures emerging from the activities of the Maine's Industry Partnerships to be viewed by other Maine industries as best practice in sector strategy initiatives.

Future opportunities for ongoing collaboration between the Maine Industry Partnerships and the workforce development and education system are endless. However, any efforts must be approached in a long-term, comprehensive way with attention to a structure that can identify and act on the common interests of a large and varied set of stakeholders.

It is against this background of optimism creating Industry Partnerships that this proposal is being developed. It will build on the successful model of Pennsylvania's Industry Partnerships and will be part of a long-term commitment to disseminate best practices and relevant information with a strong practical focus.

This proposal contains a comprehensive and current advanced manufacturing industry analysis, an outline of the Industry Partnership program within Maine, a list of model Industry Partnership fast facts and high-priority occupations, an explanation of the interconnected relationship, and best practices from three model Industry Partnerships.

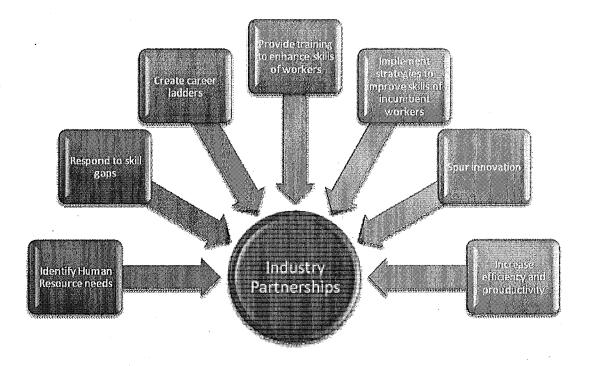
#### STRATEGIC INDUSTRY PARTNERSHIP TOOLKIT

Today, the Manufacturers Association of Maine, Maine Department of Labor, business leaders, and education institutes will release their Strategic Industry Partnership Toolkit to be used as a roadmap for new and emerging partnerships across Maine. This report outlines several critical components of successful IPs and provides strategies for implementing these components into the partnership's structure.

Each of these components is essential to the effectiveness of a partnership, and each must be established with the input and direction of employer representatives. In keeping with the association and Department of Labor's goal of making all IP initiatives both data- and industry-driven, ensuring that employers are actively engaged in all aspects of the partnership development process is crucial.

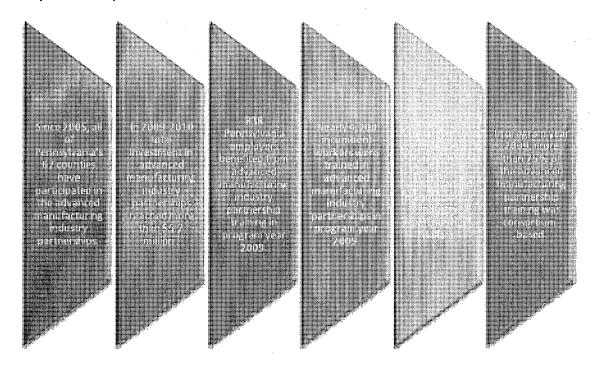
The graphic below demonstrates several of the key elements that have been shown to determine effectiveness and success among high-performing Industry Partnerships.





Industry Partnerships are critical to the competitiveness and productivity of Maine's work force because they account for the needs of employers, the needs of training and educational providers, and the needs of Maine's overall workforce. By creating a system that focuses not only on moving incumbent workers up career pathways, but also training dislocated and unemployed workers to fill lower-level positions, we are enabling companies to remain solvent even in tough economic times.

As a successful example of Industry Partnerships, Pennsylvania has provided the Manufacturers Association of Maine and the Maine Department of Labor assistance in developing the structure, facts, and key areas needed for success. Fast Facts about Pennsylvania's Advanced Manufacturing Industry Partnership follow:



In 2011, the Pennsylvania General Assembly voted to institutionalize the Industry Partnership model within the state's workforce development infrastructure. This decision demonstrates the state's confidence in the model's ability to serve the needs of businesses, workers, state systems, and the economy of Pennsylvania.

#### INDUSTRY PARTNERSHIPS IN MAINE

#### Realizing the Problem

Traditionally, as with many other states, Maine's workforce development system has focused on the dislocated workers (those without jobs) who comprised roughly 7% of the population. The majority of state and federal funds were used to support the unemployed population with employment services. Therefore, the incumbent workforce, which encompasses about 93% of the population, was largely neglected or ignored.

Recognizing the inefficiency of this approach, Pennsylvania workforce development professionals spent two years working with employers and legislators to create an employer-driven workforce development strategy that focuses on the incumbent workforce. This work revealed a significant gap between the skills training offered at educational institutions and the actual needs of industry. The education community was not meeting employers' specific training needs because



employers were not given a vehicle to adequately communicate those needs. It was clear that a partnership among educational institutions, workforce development agencies, and businesses was necessary in order to not only keep workers employed but also provide them the opportunity to advance within their occupations while keeping businesses competitive. The approach to workforce development shifted from a more temporary needs focus to an economic-development strategy, based on and listening to business needs.

# Building the Foundation—Identifying High-Priority Occupations Within Targeted Industry Clusters

The new workforce development strategy must be built on the knowledge that companies with similar products and markets become more globally competitive when they share a regional concentration of skilled labor, innovative technology, and complementary supply chains. As workforce agencies, employers, and unions recognize the application of this insight to economic development, they will understand its relevance to developing human capital. In addition, they will understand how organized consortia of related employers will be in a position to identify skill gaps and invest resources to strengthen the industries in regions with a competitive advantage. And, they will begin to share intelligence on industry trends, barriers to employment expansion, and the evolving competencies required of workers.

In order to determine where to focus resources, it is first necessary to identify Maine industries with competitive potential. The Maine Department of Labor, Center for Workforce Research and Information (CWRI) will help MAMe determine criteria for selecting targeted industries: those that create jobs paying family-sustaining wages and offer opportunities for employment expansion, career ladders, and prospective openings due to significant retirements. The resulting list of industry clusters and sub-clusters will become the foundation on which the new workforce development strategy is built.

Maine must invest its resources in training for occupations that increase the competitiveness of these targeted industry clusters. The CWRI will develop a list of high-priority occupations critical to these clusters and establish criteria that all jobs are required to meet: demanded by employers, have higher skill needs, and are most likely to provide family-sustaining wages. This list of high-priority occupations will become the framework for guiding career awareness and investments to universities, community colleges, and technical schools.

#### **Creating the Capacity for Partnerships**

At the core of the new workforce development strategy is the recognition that Maine needs a better understanding of the key industries that support its economy. Once identified, the workforce system needs a more thorough understanding of the human capital challenges, technological trends, and global competition facing Maine's employers. Developing this industry-focused approach requires that significant resources be devoted to organizing employers in critical industries and providing the skills training necessary to bring their workforce up to competitive standards. These partnerships will then become the cornerstone of a new, demand-driven system that will provide information and intelligence to workforce, education, and economic development agencies.

Bringing together employers in similar industries to create a joint plan of action will be challenging. Reliable data, staffing availability, and knowledgeable salesmanship are required. Outreach to employers to gain a thorough understanding of their industry and a clear identification of the skills gaps is also necessary. Maine's partnership teams recognize the need for funding to facilitate both the logistical and training delivery components.

A number of critical factors will drive this strategy:

- Employers, with some guidance from industry experts, will identify their common needs and work together to address those needs.
- Employers will collaboratively develop and support a strategy to address industry's needs based on reliable data and information.
- Prior to requesting training dollars, employers would need to complete a careful needs assessment of what skill areas are critical to their success. This is done through the various industry associations, MAMe and the Maine Department of Labor.
- Guidelines for obtaining these funds require the involvement of designated partners and emphasize the over-arching importance of employers being able to choose their own training providers.

#### **Developing Industry Partnerships**

Industry Partnerships begin with funds allocated by the Office of the Governor and the Maine Department of Labor, as well as other sources, with matching funds provided by the employers. Once funds are allocated, the Department of Labor can draft guidelines for requesting Industry Partnerships and worker training grants.

Draft proposals submitted to the Department of Labor are reviewed as part of a competitive bidding process. Funding is awarded based on specific criteria and availability of funds. Industry Partnership member companies provide both in-kind and matching contributions, which are then leveraged with the state contribution and invested back into the partnership and training programs. As the partnership shows success, more businesses will become members, increasing the partnership's capacity and eventually making it self-sustaining.

Beneficiaries of Industry Partnerships include job seekers, employers, incumbent workers, upperlevel management, schools, training providers, students, and others. The Industry Partnership concept creates a much more targeted approach to worker education and training than the previous system. Industry Partnership shifts the focus to advanced and innovative training for both the employer and the employee, instead of just one or the other.

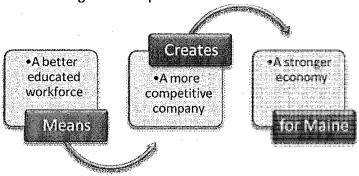
#### **Gauging Success**

Industry leadership will be central to Maine's new workforce system, with recognition that businesses, not government agencies or policymakers, can best identify and address the needs and gaps in the workforce. The key is that all parties—education, economic development, business, labor, state, and local workforce agents — come to the table to discuss these issues together, but the discussion is driven by industry needs. As a result, all entities benefit.

Businesses will play an active role in shaping workforce policy and improving the local economy; labor will help determine how workers move up the ranks from entry-level to management positions; and education and economic development groups will have more clearly defined roles and be better in tune with the real-time needs of the community and industry.

Industry Partnerships are designed not only to identify human resource needs and skill gaps, but also to address them by implementing strategies and training to improve incumbent worker skills and to provide career ladders that spur innovation and increased efficiency and productivity. In addition, Industry Partnerships and workforce investment boards work closely with schools, youth councils, community colleges, and technical schools to help students focus on the in-demand, high-skill jobs of today's global economy.

The collaboration between workforce development and economic development agencies at both the state and local levels will have created a skill-ready environment in Maine that will attract employers and businesses looking for a competitive workforce.



Through Industry Partnerships, businesses will fully understand that a better-educated workforce means a more competitive company; more competitive companies create a stronger economy.

An Industry Partnership is a shared venture among government, industry, and the community. All participants are equal investors with a shared goal. The Industry Partnership concept is not just about worker training; it is about constantly evaluating labor-market data and information to stay competitive on the local, state, national, and global levels.

Forty-five percent of companies in Industry Partnerships in Pennsylvania did not have organized training programs prior to joining a partnership. Today, those same companies now participate in training programs that have improved the efficiency, skill levels, and productivity of their employees. Because of these dynamic results, labor and management continue to work together in the shared interest of moving the company, the industry, and the region forward competitively.

The Industry Partnership program has enormous potential for implementation on a much larger scale. We anticipate that In just two years, Maine could grow its program to include active Industry Partnerships, to include more than 250 companies as members and 30,000 employees trained, potentially adding 2,000 new jobs for Maine companies. As more companies continue to see success, these programs will undoubtedly continue to be implemented, regionally as well as statewide. We expect that this Industry Partnership program will serve as a state sector strategy model for replication with other industry sectors.

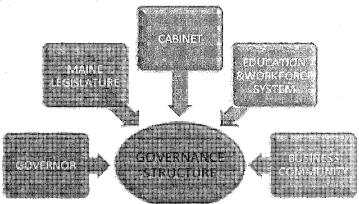
## IMPLEMENTATION STRATEGY

This section provides a recommendation for the Governance Structure of Maine's Workforce Investment Board and Maine's Industry Partnership Initiative (MIPI) Model. It explores the relationship between the policy work of the State Workforce Investment Board (SWIB) and the implementation work of Maine Manufacturing Industry Council for Excellence.

The following is a recommendation to the Office of the Governor, regarding the Maine Jobs Council that is inclusive of the Maine Industry Partnership model. To assure success in both the governance structure and the outcomes for the businesses and workers in the State of Maine, we believe this newly developed system has the potential to bring Maine's workforce and economic development goals to actuality.

The MIPI system cuts across all segments of businesses and is organized so each Industry Partnership can determine what training and education are necessary for success.

The structure and building of this system requires a governance structure that is supported by the Governor, the Maine legislature, the Cabinet, the Education and Workforce System, and the Business Community.



In order for the statewide Industry Partnerships Initiative to succeed, the Governor's Office must be committed to assuring its success. Through public appearances, direction to cabinet, funding/resources, and policies, the Governor should be the Champion of the Maine Industry Partnership Initiative (MIPI).

SWIB (State Workforce Investment Board) is a business led advisory group that serves as the convener and facilitator of the MIPI. Members of the SWIB include the Governor, representatives of the Administration, representatives from the University and Community

College systems, and business representatives and members from the Industry Councils. The SWIB reviews and approves recommended strategies and activities of the ICs.

ICs (Industry Councils) are business led stakeholders groups that develop strategies and policies for training their industries' workforce and make recommendations to the SWIB. ICs are supported with Workforce System funding and are provided technical assistance from state agency staff (DOL, DECD, DOE). Each IC has sub committees that focus on needed occupational skills and sector specific issues (such as licensing and data collection for Health Care).

Targeted industry sectors are identified on a cyclical basis using an established process of data review and analysis by the Center for Workforce Research and Information (CWRI) in consultation with Industry Representatives.

At the core of a new workforce development strategy, Mainers need a better understanding of the key industries that support their economy. Once identified, the workforce system needs a more thorough understanding of the human capital challenges, technological trends, and global competition facing the state's employers.

Developing this industry-focused approach requires that significant resources be devoted to organizing employers in critical industries and providing the skills training necessary to bring their workforce up to competitive standards. These partnerships would become the cornerstone of a new, demand-driven system that would provide information and intelligence to workforce, education, and economic development agencies.

Bringing together employers in similar industries to create a joint plan of action could prove challenging. Reliable data, staffing availability, and knowledgeable salesmanship are required. Outreach to gain a thorough understanding of the industry and a clear identification of the skill gaps is also necessary. Maine's workforce team recognizes the need for funding to facilitate both the logistical and training delivery component.

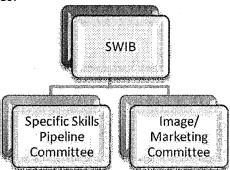
A number of critical factors will drive this strategy:

- Employers, with some guidance from industry experts, would identify their common needs and work together to address those needs.
- In order to address industry's needs, employers would collaboratively develop and support a strategy based on reliable data and information.
- Prior to requesting training dollars, employers would need to complete a careful needs assessment of what skill areas are critical to their success.
- Given that training will provide workers with skills and credentials that are transferable to other employers in the sector, workers will support this initiative.

#### PLANNED COMMITTEE STRUCTURE

The MMICE is in structural and strategic planning development stages.

The State Workforce Investment Board (SWIB) will form committees to work on its priorities. Committee members from the State Workforce Investment Board (SWIB) will be recruited to lead the work of industry committees.



The Specific Skills Pipeline Committee is charged with identifying existing training programs (community colleges, private schools, career and technical education programs, etc.) with proven track records in training, retraining, and placement into high-priority manufacturing occupations that serve the geographic regions with immediate needs. (The occupations that result from the statewide needs assessment.) The committee will complete the following:

- Investigate pre apprenticeships, apprenticeships, internships, and other earn-and-learn pathways in manufacturing. This will include connections to industry-recognized credentials and articulation for college credit at two-year and four-year institutions.
- Evaluate existing education/training program capacity by region.
- Identify and promote successful regional strategies for recruiting and reclaiming adults with no degree or industry-recognized credential and placing them in rigorous training programs for technical occupations in manufacturing.
- Formulate long- and short-term goals to address the pipeline issue, working with both student and adult learners.

The Image/Marketing Committee and Manufacturing Roundtable will develop and implement a joint strategy with regional manufacturing industry partners and the Manufacturers Association to educate Maine regarding the importance of advanced manufacturing to the state's economic health and the specific career opportunities that exist in this sector. The committee will complete the following:

• Create a Strategic Marketing Plan: Branding the State of Maine as a destination for manufacturing companies and manufacturing talent.

- Develop an economic impact study for the manufacturing sector for cost of not having a skilled workforce and pipeline of skilled workers.
- Promote Career and Technical Education (CTE) programs as cost-effective paths to college and high-paying technical career opportunities in manufacturing.
- Assist CTE centers in becoming schools of choice for academically well-prepared students and to fill open seats in programs leading to advanced skills in manufacturing.
- Formulate long- and short-term goals to address the image issue by working with the general public, students and adult learners, school administrators, guidance counselors, the manufacturing sector, appropriate state agencies, the Governor's office, and the media.

The cooperation and collaboration of the Maine Manufacturing Industry Council for Excellence (MMICE) and the State Workforce Investment Board (SWIB) Industry Partnerships is critical. While the work of the MMICE and the Industry Partnerships will be conducted, for the most part, independently, endeavors will require orchestrating policy initiatives through continuous feedback and information flow between the two entities. This will be best achieved by building on existing relationships and committing to continuous communication across the two workforce strategies.

Recently, much emphasis has been placed on strengthening the connection of regional Industry Partnerships with the policy developments of the MMICE. Partnership employers and coordinators are encouraged to stay updated on the outcomes of MMICE meetings and events. By sharing thoughts and ideas on statewide and local levels, leadership council and partnership members are able to gain better insight into how policy is formed and implemented as well as the rationale behind said policies.

Understanding barriers at the state and local levels enable these two entities to work together to formulate effective strategies that address a broad range of workforce issues and concerns. The regional challenges identified by MMICE Industry Partnerships directly affect the labor market data that drives policy at a statewide level. It is critical that Industry Partnerships are given the opportunity to share what they are experiencing locally with the MMICE so that all policy decisions are backed by input from the industry.

Throughout the recent economic turmoil, a partnership's ability to obtain and leverage additional resources beyond allocated state funding is extremely important. The State Workforce Investment Board (SWIB) is a valuable resource for identifying possible funding streams and grant opportunities that become available throughout Maine and nationally. The MMICE functions as a vehicle for the dissemination of data, information, and resources for the partnerships. The MMICE relies on the partnerships to drive statewide policy initiatives in their local regions.

Open communication and sharing of information and data is critical to the success of manufacturing workforce initiatives in Maine. Without the willingness to share resources, combine efforts, and learn from one another, the workforce development system becomes fragmented, and effective policy implementation is extremely challenging. Through the continuous efforts of Industry Partnership and MMICE members, this intricate relationship will

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## ADVANCED MANUFACTURING INDUSTRY ANALYSIS

#### INTRODUCTION

Maine's manufacturing companies contribute an annual economic output of \$5.5 billion to the state's economy, which accounts for approximately 10% of the gross state product. Maine's manufacturing sector drives our economy, with 1,804 establishments employing more than 52,100 (2010 MDOL data) individuals in family-sustaining jobs. Innovations in manufacturing are broad and long-standing, as evidenced in the number and variety of American products invented and manufactured in Maine.

Although they are strongly rooted in the past, Maine's manufacturing industries continue to grow to meet the demands of the future. Maine is on the leading edge of growth in aerospace, pharmaceutical, advanced materials, and medical device manufacturing, providing advanced technology processes, new technology, and R&D to increase market share and grow in these technological fields.

Today's manufacturing occupations are clean and modern, utilizing advanced technology, automation, and robots. In order to compete globally and help lead the country out of its economic downturn, manufacturing utilizes excellent process—improvement strategies and employs a highly skilled, highly motivated workforce. The manufacturing sector offers lifetime career opportunities appealing to a wide variety of worker interests, from improving the layout and efficiency of a company through industrial engineering to designing custom tools that enable a company to produce its product through a career as a tool and die maker.

During the past 10 years, much of the manufacturing growth in Maine was fueled by process and productivity improvement, often coupled with the introduction of new technologies. As a result, employers did not always need more workers to meet increasing demand, but they did require an increasingly more skilled workforce. Often low-skill production jobs either moved offshore or were replaced through automation. Newly installed capital equipment required more capable operators and skilled technicians to maintain the equipment. The Maine Manufacturing Industry Council for Excellence through the Industry Partnership/Sector Strategy is ideally positioned to respond to the evolving needs of manufacturing employers and workers.

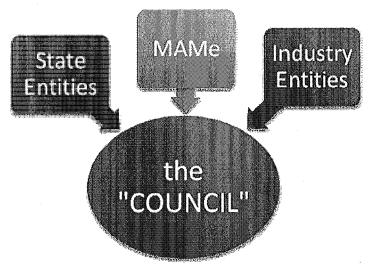
However, this vibrant, growing sector of Maine's economy is not without its challenges. As Maine's economic recovery accelerates, our manufacturing sector will be challenged by 1) higher skill requirements, 2) an aging workforce, and 3) the lack of an effective talent pipeline. Maine's manufacturers must have access to a deeper pool of skilled and adaptable workers to respond to the competitive demands of a rapidly evolving global economy. In addition, Maine workers will need the opportunity to advance their skills.

Believing that a nationwide search for Best Practices was necessary, MAMe identified the Industry Partnership structure that is now well-established in Pennsylvania as an ideal model for Maine to emulate. MAMe staff and industry volunteers have spent many hours interviewing employers and

Industry Partnership staff from Pennsylvania and, with very little change to a successful effort, intend to base the Maine Industry Partnership approach on their model.

### THE PROPOSAL

The Manufacturers Association of Maine, in partnership with businesses and state entities, proposes to establish the Maine Manufacturing Industry Council for Excellence ("the Council") to develop short and long-term strategies aimed at increasing the skilled workforce pipeline and growing manufacturing jobs in Maine. This Council will be direct link to the State Workforce investment Board.



As Maine's economic recovery accelerates, our manufacturing sector will continue to be challenged by a demand for advanced skill attainment, an aging workforce, and the lack of an effective talent pipeline. Maine's manufacturers must have access to a deeper pool of skilled and adaptable workers in order to respond to the competitive demands of a rapidly evolving global economy. Maine workers, recognizing this new reality, will need opportunities to develop new skills.

Statewide the Council seeks to build on and promote regional best practices through state networks, including industry-led manufacturing Industry Partnerships and the State Workforce Investment Board (SWIB).

Responding to the complex challenges and growth opportunities mentioned earlier in this report, the Council will serve as the clearinghouse for information regarding manufacturing career opportunities in Maine. It will address the long- and short-term needs of both industry and the workforce. In coordination with Maine's educational institutions, it will seek to spark the interest of today's students in the manufacturing careers of tomorrow and promote the training and education required for both students and incumbent workers to reach their employment goals.

#### INDUSTRY PARTERNSHIPS' CONNECTION TO MAINE

Overall, the success of Maine's workforce development system is heavily dependent upon Industry Partnerships' ability to build a collaborative relationship with the state's workforce development system offices in our regions. The Maine Manufacturing Industry Council for Excellence (MMICE) can build a strong connection to the state workforce development system which seeks to assist unemployed and dislocated workers in attaining suitable positions, retooling to advance along career ladders, receiving remedial training and/or earning work readiness credentials.

#### **Partnership Overview**

Strategically, the Maine Manufacturing Industry Council for Excellence will help manufacturers in Maine stay competitive in the global marketplace by having a workforce that is technologically competent. It will offer strategic assistance to employers and workers with a long-term goal that depends on strong governance and flexibility with regard to sustainable support. It will include small, medium, and large companies from the entire state and look to the manufacturing supply and distribution chains as it plans for programming.

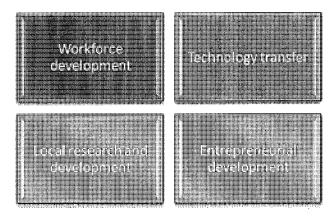
From the standpoint of structure, the center is actually a collaboration of Industry Partnerships, each with its own steering committee but with a shared program manager. This structure allows us to share staff, find common programming themes, and account for the special training needs of the specific industries while keeping costs down. Research support is provided by the Maine Department of Labor.

#### MAINE MANUFACTURING INDUSTRY COUNCIL FOR EXCELLENCE

We expect this newly created council to drive and guide our implementation of the Industry Partnership/Sector Strategy we are proposing for Maine.

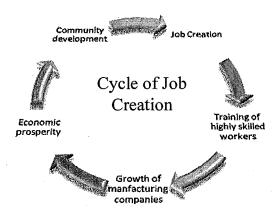
#### Mission

The Maine Manufacturing Industry Council for Excellence is data and industry-driven and is directed to improve the competitiveness of manufacturing in the global marketplace and support economic development activity in our region. We do this by focusing on four key programmatic areas:



Vision

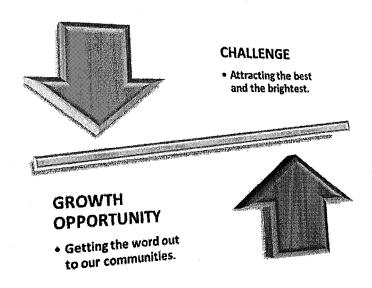
The Maine Manufacturing Industry Council for Excellence provides the framework and structure for regional manufacturers to collaborate with one another and for key partners to support its mission. It acts strategically and tactically to encourage the advancement of workers, the sharing of knowledge and best practices, and the fostering of innovation. Its work positively affects the cycle of job creation, the training of highly skilled workers, the growth of manufacturing companies, economic prosperity and community development.



With the dramatic growth of automation and technology in the sector, manufacturing needs fewer unskilled laborers and many more individuals with higher skills. Many of these occupations have been identified on the high-priority occupations list that has been developed jointly by Maine DOL. Employers want to see prospects with a basic level of foundation skills (literacy, numeracy, and information technology), work skills (attendance, teamwork, and preparation for unexpected events), and hard skills (ranging from engineering, machining, technical, and welding to customer service).

#### **CHALLENGES AND GROWTH OPPORTUNITIES**

Challenges and growth opportunities are inexorably intertwined. Each time a challenge is addressed, we (the manufacturing sector) provide ourselves with an opportunity for growth. The following explains how meeting these challenges will affect the growth of the manufacturing sector and, subsequently, Maine's economic health.



# CHALLENGE #1 Attracting the Best and the Brightest

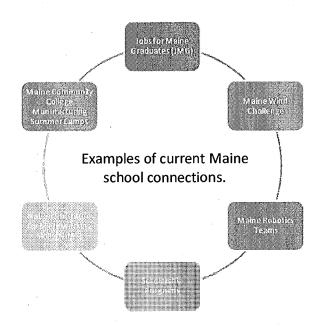
Today's manufacturing jobs are fast-paced and varied. They require workers to have

- excellent people skills (because employees will often work on a team with co-workers)
- critical thinking skills
- the ability to think on their feet and to troubleshoot underperforming areas and equipment
- the ability to convey ideas and work processes to others
- the ability to create new processes for improved efficiency
- a strong desire to learn new methods and new machinery.

Seventy-one percent of Americans feel that developing a strong manufacturing base should be a national priority, yet 61% of Americans feel that our public school system does not encourage

young people to pursue careers in manufacturing.<sup>1</sup> As a result, most high school graduates may not be aware of the many excellent career opportunities available to them in manufacturing, particularly if they are well-prepared in math and science. Manufacturing is driven by innovation—accounting for nearly 80% of all patents filed in the U.S. and nearly 75% of the nation's industrial research and development.<sup>2</sup> Manufacturing companies employ technicians, machinists, programmers, purchasing agents, sales and marketing personnel, research and development personnel, and various other highly skilled individuals.

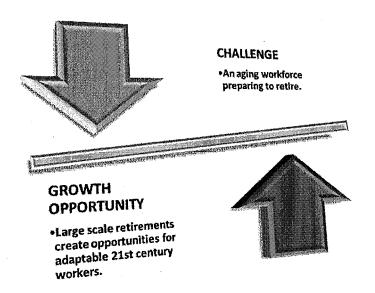
# GROWTH OPPORTUNITY #1 Getting the Word Out to Our Communities



Maine's industry and government priorities must be to promote the manufacturing sector as a high growth, highly skilled, high wage industry with infinite career opportunities. Maine's education system (teachers, guidance counselors, and parents) must be informed of the career opportunities for all students. Influencing our youth to seek these opportunities will be a major challenge, but through data, programs, and marketing the sector through associations to educate youth on reaching their potential in this field. The Manufacturers Association of Maine will roll out a statewide marketing plan that focuses on key areas of education and reaching out to the state's media sector and education system, parents, and students. This 18-24 month plan will concentrate on dual outcomes: 1) reaching the public to inform of the demand and career opportunities in manufacturing, and 2) outreach to the education system with data that supports and assists in steering students to careers in manufacturing.

<sup>&</sup>lt;sup>1</sup> Public ViewPoint on Manufacturing, June 9, 2009, Deloitte.

<sup>&</sup>lt;sup>2</sup> Growing a Manufacturing Economy for the 21<sup>st</sup> Century, March 31, 2010, United Steel Workers and the Alliance for American Manufacturing.



# CHALLENGE #2 An Aging Workforce Preparing to Retire

Data from Maine Department of Labor, Center for Workforce Information & Research (CWIR), and Local Employment Dynamics (LED) indicates that the manufacturing workforce in Maine is older than average. For example, fabricated metals, in comparison to all other industries in Maine, reports that the number of workers aged 35 to 64 is about 9% older in age overall. As workers aged 55 to 64 retire within the next few years, industry will face an additional shortage of skilled workers in the advanced technology, high wage manufacturing sector at a time when we are already experiencing a major shortage of skilled workers.<sup>3</sup>

In Maine, 78.5% of all the people age 45-54 are employed. For those ages 55-64, 65% are employed. As people reach retirement age, there is a drastic decline in employment numbers. For example, for ages 65-74, only 24.2% of people are employed and 4.6% of people over the age of 75 are employed. <sup>4</sup>

<sup>&</sup>lt;sup>3</sup> March 18, 2010, MDOL, CWIR-Maine Manufacturing Report to MAMe.

<sup>&</sup>lt;sup>4</sup> U.S. Census Bureau. "S2301: Employment Status Data Set – 2008." American Community Service. 2008. 9 June 2010.

<sup>&</sup>lt;sup>5</sup> Perrin, Towers. "The Business Case for Workers Age 50+: Planning for Tomorrow's Needs in Today's Competitive Environment." <u>AARP</u>. 2005. 5 June 2010.

However, data strongly suggests that we will begin to see a downward shift in the numbers of retirees. Sixty-nine percent of individuals between the ages of 45 and 74, who are either working or are looking for work, plan to work in some capacity during "retirement". <sup>5</sup>

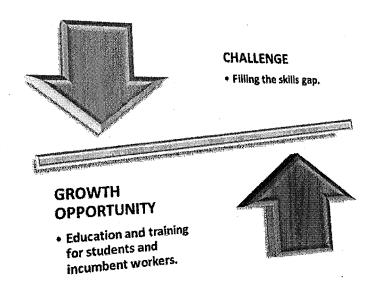
The looming problem of large-scale retirements has been further complicated by the economic uncertainty resulting from the recent steep economic downturn. Many experienced workers postponed their retirement plans, creating a logiam that might break loose just as manufacturing demands show signs of sustained recovery. Large numbers of workers retiring over a short period of time will create a tremendous strain on the distribution of work within an organization. When one person retires, a company can usually shift a worker's responsibilities to a few other employees until such time as the vacancy can be filled. However, when 10% of the workforce retires at once, the company must dramatically shift its workflow in order to remain productive. This shift will require an adaptable and flexible workforce to maintain productivity while the company reevaluates the duties associated with the newly opened positions and begins the lengthy process of finding, hiring, and training replacements.

# GROWTH OPPORTUNITY #2 Large-Scale Retirements Create Opportunities for Adaptable 21st Century Workers

Younger workers already employed in manufacturing will experience an increased opportunity to advance in their field, provided that they have the training and the skills required to help the company meet customer requirements. Additionally, high school, trade school, and college students will have a wealth of opportunity to find a career in manufacturing that will suit their abilities and career goals.

Through the Industry Partnership model described in this proposal, MAMe and other state and private sector organizations will customize training based on the assessment of the training needs of companies and consortiums. In fact, we have already started, although in a limited fashion. MAMe is an exemplary example of cluster/consortium development. MAMe currently is administering the aerospace alliance, medical device manufacturing and high performance textile clusters, RF/Electronic/Wireless Communications consortium and the Alternative Energy Initiative. Each sector has been or is currently undergoing an industry assessment and consortium development on education and workforce development assessment. MAMe is positioned as the entity to provide data and demand to these sectors to align need with actual data. This approach provides a solution to the problem, not a solution before we understand the problem.

As one example of currently ongoing training, MAMe's Business Growth Services (BGS) hosts APICS (Advancing Productivity, Innovation, and Success) Supply Chain Management training. This training enables the participants to learn more about the cross-functional and inter-organizational processes of a successful supply chain. Individuals who have participated in this training become more valuable resources to their respective companies, as they will be better prepared than their counterparts to tackle the organizational challenges facing the industry.



# CHALLENGE #3 Filling the Skills Gap

In the top 10 list of jobs that U.S. employers worldwide are having difficulty filling, technicians rank number one, followed by skilled trades at number four, and production operators at number five. Those hard to fill jobs include CNC Machinists, Swiss Machinists, Maintenance Mechanics, Electricians, Field Service Technicians, Engineers, PLC Technicians, Certified Forklift Drivers, Production Supervisors, and Executive Managers.<sup>6</sup>

Basic skills common to these jobs include applied math, communications, and knowledge of computers. Intermediate skills include the knowledge of quality systems, process improvement principles, statistical measurement, blueprint reading, and basic preventative maintenance. Employers also cite a lack of soft skills, such as communications, teamwork, and problem solving.

Unfortunately, the United States lags in both math and science skills when compared to students in economies, such as those in Germany, Japan, and the United Kingdom, and even in developing economies, such as those in Hungary and Poland.

# GROWTH OPPORTUNITY #3 Education and Training for Students and Incumbent Workers

#### **Education and Training for Students**

A student may begin his or her career during high school through a vocational/technical internship. Upon graduation, the student then has the opportunity to work in his or her chosen field while pursuing an associate's degree at a community college. Because the student is employed, he or she can still earn an income while learning new skills. An existing articulation agreement between the Maine Community College System and the University of Maine stipulates

that the associate's degree can serve as the basis for a bachelor's degree without repeating courses. This path of combining high school technical education, subsequent pursuit of an associate's degree, and, ultimately, a bachelor's degree, often known as a 2+2+2 strategy, is well suited to pursuing a high-paying technical career.

#### **Education and Training for Incumbent Workers**

The Maine Manufacturing Industry Council for Excellence will actively address the need to improve the skills and education of manufacturing workers. The Center of Excellence will take a creative approach to promoting advanced skills aimed at building innovative practices to support member company growth through the Industry Partnership Initiative.

The Maine Manufacturing Industry Council for Excellence, within the Manufacturers Association of Maine, will complete a regional Gap Analysis/Needs Assessment Study for the diversified manufacturing base within its region. The study will specifically address occupational needs and skill gaps on a regional basis and explore the training required to fill those gaps. As a result, the Industry Partnership Initiative will be able to provide the appropriate training for advanced level and industry-specific skills attainment, especially in the areas of new technology identified by the industry.

The analysis will identify an array of training, education, certification, and consortium needs. The existing ongoing cluster activities will also follow the partnership model, expanding the cluster of companies that are in the process of developing workforce development strategies for their sector.

#### **KEY THEMES**

Early outreach efforts, as well as interviews and site visits with manufacturing employers, employers associations, and to a lesser extent, economic and workforce development professionals, result in expressed concerns regarding the quantity and quality of workers interested in and available for manufacturing employment in Maine. These concerns are classified under two key themes:

- 1. An insufficient pipeline exists to fill current openings for skilled manufacturing technicians and to replace skilled incumbents who will soon retire.
- 2. Manufacturing production workers (both employed and unemployed) are often not prepared to adapt to the changes of an evolving manufacturing environment.

These key themes serve as a launching pad for prioritizing and developing the MMICE's initial goals and objectives.

In conjunction with regional industry, the MMICE will complete a statewide needs assessment of key technical manufacturing occupations with known supply shortages to ensure that we are providing training that will meet these needs. Additionally, the assessment will provide such information on a regional, as well as a statewide basis. Initial assessments indicate needs in the following occupations. (The final assessment will likely lengthen this list.):

- Engineers
- CNC Machinists
- Machinists
- Planners/buyers
- Mfg Sales
- Fabricators
- Machine Assemblers
- PLC Control Engineers
- Cost Accountants
- Produce Development Engineers
- Supervisors
- ERP Engineers
- Welders
- Industrial maintenance technicians (electrical, mechanical, electronics, and mechatronics)
- Precision machinists (CNC programmers and operators, machinists and tool and die makers)

#### OCCUPATIONAL GROWTH AREAS

#### The Need for Skilled Workers

Manufacturing employers throughout Maine report that high-paying jobs are going unfilled as they struggle to find qualified candidates. The occupations most often identified to be in short supply include 1) Machinists, 2) Welders, 3) CAD/CAM/CNC Programmers, 4) Robotics & Programming, and 5) Engineers. Representative annual wages for experienced workers holding these jobs are as follows:

•	Machinists	\$56,908
•	Welders	\$49,814
•	CAD/CAM/CNC Programmers	\$45,900
•	Robotics and related Programming	\$90,300
•.	Manufacturing Engineers	\$62,800

All of these positions dramatically exceed the average per capita wage in Maine (\$37,640), and all but CAD programmers exceed the national average (\$47,140).

2011 Data from the Manufacturers Association of Maine confirms that high-skilled manufacturing employment opportunities are available. In November, 2011, the association polled members on current job openings. MAMe sent the request to 165 companies; 40 responded with 230 immediate job openings. Both large and small firms reported opening with an average of six jobs per company. At a rate of \$56,908 average per worker salary, that is a potential \$2,276,320 in wages that could be realized if we could fill the current job openings in Maine.

In-demand occupations require rigorous postsecondary education and training, ranging from a year or more of on-the-job training to an associate's degree. For many of these occupations, training is acquired through an apprenticeship, which may often progress into college credit. Industry-recognized credentials, such as those offered by the National Institute for Metalworking Skills (NIMS), are growing in popularity and often provide a benchmark by which an employer can qualify an individual with prior experience and by which a postsecondary institution can justify the awarding of advanced placement credit.

Because advanced manufacturing companies offer excellent wages, benefits, and growth opportunities, these companies often experience much lower turnover than firms in other industries and, as a result, can be very selective in their hiring activities. Gone forever are the days when employers looked for manufacturing workers with a strong back and the ability to complete repetitive tasks. Today's advanced manufacturing companies are looking for skilled problem-solvers who bring good communications skills, technical preparation, and a focus on health and safety.

#### **National Trends and Initiatives**

As we move in, and ultimately out of, our most severe economic downturn in nearly 80 years, many American policymakers are rediscovering the critical role of the manufacturing sector in generating wealth and supporting the economy.

In 2010 the National Association of Manufacturers (NAM) commissioned a report *Manufacturing Resurgence—A Must for U.S. Prosperity* which emphasizes the importance of a robust manufacturing sector to the nation's economy. Findings include the following:

- An increase in manufacturing production creates more economic activity both within and outside the sector than does a similar increase in any other major sector because of manufacturing's high multiplier effect and its extensive linkages to other parts of the economy.
- Incremental growth in the manufacturing sector is likely to increase domestic research and development (R&D) activity by more than a comparative increase in any other major private industrial sector because of the high intensity of innovation in manufacturing.
- R&D, through the innovation process, boosts overall U.S. productivity growth, the source of improvements in our standard of living.

## THE FUTURE OF MAINE MANUFACTURING

In addition to the national attention devoted to some of the more pressing issues in manufacturing, Maine remains focused on this valuable sector of our economy. Maine offers a number of accessible programs and resources aimed at protecting and promoting the manufacturing industry.

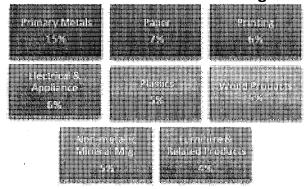
The Manufacturers Association of Maine provides information and referrals to manufacturers in areas, such as financing, education and training, technical assistance, and regulatory issues. The Association is also the primary advocate for manufacturers needing help to navigate programs and regulations when dealing with state agencies.

Industry Partnerships bring together employers, educators, and other interested organizations to provide training, outreach, and marketing for the manufacturing sector.

The Business Services Division of the Manufacturers Association of Maine is comprised of the Business Growth Services (BGS), the Maine Industry Partnership Initiative (MIPI), and the Compliance Plus Program. BGS, which provides a variety of professional consulting services to small- and medium-sized manufacturing firms throughout Maine, is able to provide these services to clients as a fee-based service and a cost buy-down, where resources are available. Common services include financial restructuring, buyouts, succession planning and ownership transition, and operations and cost management.

The diversity of Maine's manufacturing sector also plays a key role in our industrial success. The manufacturing economies of some states are tied to one key industry, such as automotive or aerospace products. When that industry experiences a decline, the effects on the state are devastating. Maine's diverse manufacturing base ensures that we are better able to weather the ups and downs of any one given industry and still retain our strong economy. According to the Manufacturing in Maine 2009 Industry Report, Maine's share of national production for several manufacturing sectors is larger, comparatively, than the nation's share of global production in these same sectors.

#### **Maine's Share of National Manufacturing Production**



Maine's prosperity has long been tied to a strong and innovative manufacturing base. As Maine emerges from the current global downturn, it is becoming increasingly evident that we need a strong, advanced manufacturing sector to sustain the recovery and to build long-term, sustainable growth. An ongoing, concrete commitment to investments, education, and assistance for manufacturers will ensure that Maine's manufacturing sector will continue to provide career opportunities for our workers and a strong economic foundation for our communities.

#### **CURRENT INDUSTRY PARTNERSHIPS IN MAINE**

This section examines successful Industry Partnerships whose innovative approach to addressing critical partnership components has established them as exceptional advanced manufacturing and health care partnerships in Maine.

Two sectors—manufacturing and health care are moving in parallel to establish and implement the Maine Industry Partnership (MIPI) model. Below are examples of strategies and projects:

#### Manufacturing

- 1. Since 2007 the Manufacturers Association of Maine houses the Maine Aerospace Alliance (MEAA). In order to increase market share in the aerospace industry, a cluster of 78 companies has been assessed to determine their certification and training needs. In 2009-2011, MEAA has provided 44 companies with ISO, AS9100, and NADCAP certifications; welding certifications; ITAR registrations; Lean Manufacturing; Project Management; and Operational Performance assessments. We've established Aeronautical/Astronautical courses at UMaine Orono and are advising on programmatic development at SMCC, PATHS, UM/MET, and other educational institutes. MEAA has developed business contacts with NASA, Boeing Military, Boeing Commercial, L-3 Communications, SAIC, Pratt & Whitney CT, Jet Engineering Corp. and others leading to requests for quotes from Maine aerospace businesses. Working with the Canadian Chamber of Commerce, we invited three members to meet with Airframe manufacturers and primary aerospace suppliers in Quebec Provence. We also established and promoted contacts with Ontario Aerospace Alliance to foster business relationships with their members.
- 2. Supported by USM's Manufacturing Applications Center (MAC), the Manufacturers Association of Maine (MAMe) and the Bioscience Association of Maine (BAM) are collaborating to study the emerging medical device technology cluster in Maine. The goals are to understand the scope and scale of medical device-related activity in Maine and identify the challenges faced by firms currently engaged in medical device technology and experiencing workforce development issues.
- 3. The Maine High Performance Textile Consortium is emerging as a cluster of traditional and advanced textile companies in Maine. The issues facing this sector are numerous; however, workforce issues are consistently a challenge. This has become a major factor in the binding

- growth of this sector. MAMe will be conducting a feasibility study, gap analysis, and overall assessment of this industry in 2011.
- 4. The RF/wireless communications/electronics industry has been in decline due to overseas competition. In Maine, a small, but technologically advanced group of companies has identified workforce development as a major impediment to growth and prosperity. MAMe is organizing the RF cluster that will take direct action within the education and training system to develop customized and consortium training for this industry.
- 5. The fabrication and welding companies are experiencing a major shortage of skilled workers. In October, 2011, MAMe convened a group of businesses in the Lewiston/Auburn area and has begun assessing the training needs of this consortium of companies. Using the New England School of Metal Work in Auburn and private trainers, the welding consortium will determine their training needs, and MAMe will organize the training providers, customized to each company, as well as the full consortium.
- 6. A group of York County manufacturing plants has been working on a machining consortium to determine the availability of a pool of skilled workers and what the consortium can do to recruit and train high level machinists. MAMe and YCCC are working with the consortium to establish recruitment and training needs. Each group has knowledge of what its needs are a has strongly voiced the ability to coordinate the consortiums. MAMe is requesting funds to lead the coordination of the Maine Manufacturing Industry Partnerships.

#### **Health Care**

- 1. The Maine Health Workforce Forum was established in 2005 by the Maine Legislature to address Maine's current and projected workforce needs due to shortages of health care professionals, such as dentists, mental health providers, nurses, pharmacists, primary care doctors, and home care workers. Workforce planning is essential to ensure a sufficient supply of qualified professionals to meet health care, long-term care, and public health needs. The Maine Health Workforce Forum is an independent, public/private, employer-led consortium of stakeholders, including employers, health professional and trade associations, licensing boards, adult education programs, public and private universities, organized labor, private groups, community colleges, and state foundations, consumer agencies. recommendations for addressing Maine's health workforce needs include coordination of leadership to implement effective workforce strategies, collect, analyze, and report data needed to inform health workforce planning. This will result in
  - effective solutions, both short and long-range
  - alignment of resource with demand
  - coordination of resources from multiple sources, including state agencies and private resources
  - elimination of duplication of effort
  - promotion of employment strategies that will help address immediate and future workforce needs

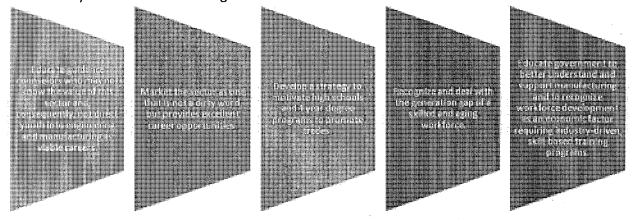
## MAMe MANUFACTURING SUMMIT OUTCOMES

This section describes the most recent manufacturing summit outcomes for five manufacturing sectors. Overall, the manufacturing sector strongly voiced its belief that workforce training and education is the greatest need in maintaining and growing this industry.

#### **METALS AND METAL FABRICATION**

The number one issue for this sector is the availability of skilled labor. Since the early 1960s through today, this sector has been challenged in finding skilled workers. Contributing factors include a lack of young people entering secondary and post-secondary programs, more technology in shops requiring advanced skills, training programs not able to keep up (financially) with new technology, and the overall perception that manufacturing is a dying industry, keeping parents and students from considering this sector as a viable career. The top job openings include 1) Machinists, 2) Welders, 3) CAD/CAM/CNC Programmers, 4) Robotics & Programming, and 5) Engineers.

The industry identified the challenges associated with the lack of skilled workers in this sector.



#### BIOSCIENCE

The top issues identified in the bioscience sector are training and workforce. Education topped the list for concerns—a need to increase higher education program offerings and improve graduation rates among students in the bioscience field. They noted a lack of collaboration between the sector and the government and feel that collaboration would create a dialogue between academia and industry as well as address funding distribution issues. The sector also

suggested that the association could assist in these efforts by bridging the gap between educational institutions and the sector through the Industry Partnership Initiative.

#### PLASTICS/COMPOSITES AND BIOPLASTICS

The bioplastics, composites, and plastics sectors all identified training and workforce issues as their top concerns. These sectors cited a lack of communication between educational facilities and manufacturing sectors. Obstacles identified included poor outreach to schools, a lack of success stories to spark excitement and interest, and little sector involvement with the schools. The government could help these efforts by introducing new programs and expanding existing programs geared toward these sectors as well as offering scholarships that reward graduates for choosing to work in Maine. They called upon the association to assist in facilitating dialogue between the industry and educational facilities. The sectors also suggested that the association organize activities such as education and training consortium development and field trips to sector facilities or school visits by industry professionals.

#### **ELECTRONICS/RF/WIRELESS COMMUNICATIONS**

The top issues identified in the electronics sector were training and workforce. Although the industry has declined, technology-based wireless communications towers, microwave towers, and semiconductors comprise a thriving industry. The majority of these companies need entry level technicians as well as highly skilled professionals (engineers). Workers with the prerequisite skills to fill these jobs are extremely difficult to find in Maine.

Because of the lack of established education programs at the secondary and post-secondary levels, the industry indicated that specialized training is the only available option. Another major area of concern is the well-documented aging workforce and the historical knowledge they will take with them when they retire. Another concern is that automated machinery technicians and electronics technicians are only micro-trained; however, they need macro-training to understand the entire manufacturing process. Industry trainings are needed to ensure all workers grasp the macroscopic view.

#### ADVANCED AND HIGH PERFORMANCE TEXTILES

The issues indentified for this sector are training and workforce. The sector wants to collaborate with education, non-profits, and state agencies to create industry-led education programs. Through the Association, the sector would engage workforce and other textile companies in Maine through partnerships, clusters and consortiums. The MAMe Industry Partnership model has been instrumental in teaching skills and encouraging manufacturing best workforce practices. An example of success is the "New Mainer" lean training developed by the Manufacturers

Association for the Maine Adult Education System for immigrants. This training teaches immigrants about the American culture of manufacturing and integrates lean manufacturing concepts into the training.

ATTACHMENT 2

## LOOKING AHEAD

#### CREATING AND MAINTAINING EMPLOYER BUY-IN & ENGAGEMENT

One of the biggest challenges for Industry Partnerships in Maine will be the ability to create buy-in and active engagement among employer partners. However, the Manufacturers Association of Maine has clearly demonstrated not only a strong employer base within the manufacturing sectors but also an elevated level of employer involvement that, traditionally, many partnerships struggle to achieve.

The Manufacturers Association of Maine will take a statewide approach to manufacturing workforce development. The Association will manage the partnerships and focus its efforts on supporting the manufacturing sector of Maine. Partnership stakeholders will include employers, secondary and vocational technical schools, postsecondary community colleges and universities, workforce intermediaries, industry associations, and nonprofit organizations.

#### MISSION

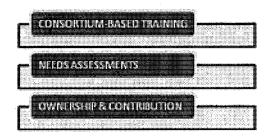
To provide programs and services that will continually improve the competitiveness of the manufacturing workforce in Maine.

#### PARTNERSHIP OBJECTIVES

- Expand demand for incumbent worker training by the region's manufacturers through incentives and process facilitation.
- Build capacity for the best and most cost-effective pipeline development, pre-service training and incumbent worker training.
- Assist companies to design regular and meaningful training and evaluation
- Assist companies to recognize and adopt best practices related to workforce development and human resources

#### **ACTIVE EMPLOYER ENGAGEMENT**

The Maine Manufacturing Industry Council for Excellence, within the Manufacturers Association of Maine, will concentrate on creating an environment where employer partners are regularly surveyed (utilizing the MAMe Manufacturing Data System) and asked to provide feedback on a number of issues affecting the manufacturing industry and, ultimately, their company's bottom line. The MAMe has identified three areas where employers can actively contribute to partnership initiatives that result in visible outcomes that keep employers engaged.



Consortium-Based Training Through actively and continuously soliciting feedback from partners, the partnership will be able to deliver content and services that spark the greatest amount of interest and engagement among its partners. It is critical that partnerships view training programs as beneficial to both the employer and the employee. The ability to provide portable, widely recognized skills to workers enables them to be more marketable and highly valued within the industry.

Needs Assessments The data system survey conducted for aerospace, medical device manufacturing, alternative energy, and advanced textiles allows MAMe to tailor its training schedule to meet the specific needs of its partners and to identify third-party providers who could assist with consortium training for partner firms. The partnership can use this method to assist the Maine Manufacturing Industry Council for Excellence to establish programs, one of which focuses on innovations in the content and delivery of training for the manufacturing industry. By regularly assessing the needs of employers, the partnership ensures that precious resources go toward programs and initiatives that will ultimately address those needs and benefit the industry and the region as a whole.

Ownership and Contribution Expressed needs must be measured against industry surveys. Employers will be expected to demonstrate responsible engagement with a particular program or service that may include a contribution of time or money. The Maine Manufacturing Industry Council for Excellence allows opportunities for employers to actively participate in ways that allow them to feel an ownership or real contribution to solutions to workforce problems that affect them. All stakeholders work collaboratively to create and sustain programs and services that address the partnership's overall goals.

#### PROGRAMS AND EVENTS

The partnership offers subsidized training with a focus on process improvement, technology integration, and market expansion for member firms—leading to productivity improvement. The training will increase and augment the skills of workers.

#### YOUTH PIPELINE AND SCHOOL TO WORK INITIATIVES

The success of Industry Partnerships in Maine hinges substantially on the partnerships' ability to develop strong connections with youth and regional educational institutions. An analysis of the aging workforce, prepared by the Maine's CWIR, found 45% of the workforce is 56 years or older. As these older workers leave the workforce, the industry will face the challenge of replacing, not only the positions, but the skills of these employees.

#### MISSION

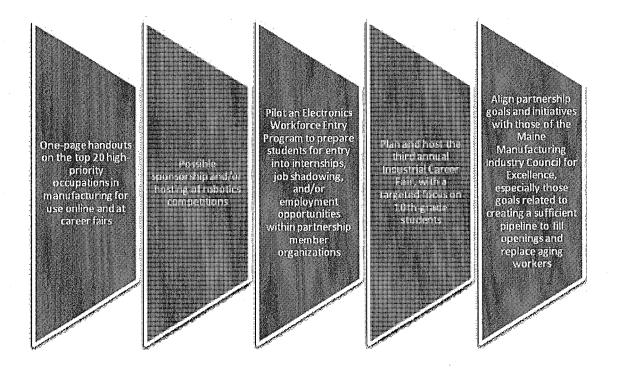
The Maine Manufacturing Industry Council for Excellence mission is to develop human resources internally and track and support local educational initiatives toward the development of a highly skilled local manufacturing workforce that will continue to keep Maine competitive in an increasingly global marketplace.

#### VISION

The Maine Manufacturing Industry Council for Excellence seeks to advance its mission through pipeline development, promotion of career ladders, increased retention, and advancement of incumbent workers. The Council will accomplish this through coordination of training, attracting more manufacturing companies, and supporting infrastructure in the region. This will assist established businesses in their growth and expansion efforts and increase awareness and positive image of manufacturing occupations through outreach to youth, parents, educators, and the community at large.

#### **LOOKING AHEAD**

The Maine Manufacturing Industry Council for Excellence will focus on the importance of career awareness and pipeline development among young adults. The following examples outline how the Council intends to build on its already existing programs to create new and innovative approaches that will address this critical workforce component:



#### **KEY POINTS OF FOCUS FOR MIPI**

#### 1. Occupational Skills Training Benefits Employer and Employee

Workers gain skills that make them more productive and valuable to the employer. Employers increase the productivity and retention of a skilled workforce. Aggregated demand reduces cost of training per individual.

#### 2. The Utilization of Labor Market Information to Inform Hiring and Training Decisions

The collection, analysis, and dissemination of current labor market information can help businesses make critical decisions concerning the hiring and training of their workforce. It also assists in programmatic decisions for education and workforce development organizations. The association data systems can supplement this data with Just-in-Time data on current hiring, skills sets, and education levels which will help to identify specific training needs.

#### 3. Development of the Workforce Pipeline

The MIPI can help by responding to current workforce opportunities, as well as developing long term strategies in anticipation of future workforce challenges. The recommendations from the ICs can include both short- and long-term activities to address sector workforce needs. The education community and youth service provider organizations (Jobs for Maine Graduates, Learning Works, Pre Apprenticeship, ...) can assist in the development of the workforce (of the future) pipeline.

#### **IN SUMMARY**

Maine is strategically positioned to implement the Maine Industry Partnership Model. It is industry and data driven and provides the education and workforce system with meaningful direction in which to provide training. Maine has two major economic sectors, manufacturing and health care, which are positioned to take the MIPI model and develop a statewide, sector wide strategy that will, within 18-24 months, be a significant change in the way Maine structures and delivers workforce training.

We will develop and answer the following questions on the MIPI:

How its impact will be measured?

What is the cost to the employer / tax payer?

How can we deliver more comprehensive employer based training initiatives, apprenticeships, and consortiums?

The Manufacturers Association of Maine, along with government, business associations and organizations will focus on measureable impact for the state and the citizens of Maine.

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
Α.	STAFF ISSUES				
1.	Identify staff to be assigned to JTPA closeout activities after June 30, 2000 considering the functions of:				
	a. Fiscal				
	b. Legal				
	c. Personnel				
	d. Contracting				
	e. Audit Resolution			•	
	f. Debt Collection				
	g. Property Inventory and Disposition				
	h. Complaints/Grievance Resolution				
	i. Subrecipient Closeouts				
	j. Preparation and submission of final closeout documents by December 31, 2000				
	k. MIS Recordkeeping and Reporting				
2.	Identify WIA transition staff and if they will also work on JTPA closeout; develop cost allocation plans and time distribution systems.				
3.	Revise staffing pattern and adjust, if necessary.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
4.	Review applicable personnel procedures to be followed if terminating staff.				
5.	Investigate UI liability for staff.				
В.	CLOSEOUT PLANS				
1.	Formally notify subrecipients of planned closeout of JTPA.				
2.	Obtain legal review of notification.				
3.	Develop required closeout plan to be obtained from subrecipients.		, , , , , , , , , , , , , , , , , , , ,	7	
4.	Issue request for plan.				
5.	Review submissions for sufficiency.	,		•	
C.	PARTICIPANT ISSUES				
1.	Review enrollment levels.				
2.	Identify those participants for whom service strategies need to be completed.				
3.	Identify those participants who will need to be reassigned to other deliverers of services through subrecipient closeout plans.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
4.	Complete required fourth quarter reports for submission to DOL.				
5.	Determine if any participant records need to be transferred to new deliverers of service.				
D.	PROCUREMENT ISSUES				
1.	Terminate any subcontractor/subrecipient agreements where entity will not be continuing to provide services to transitioned JTPA clients.				
2.	Determine which subcontractor/subrecipient agreements must be modified to reflect:				
	a. Contractual Designation from JTPA to WIA				
	b. Levels of Participant Service				
	c. Funding Level			,	
	d. Awarding Agency Designation				
	e. Closeout Costs				
	f. Prepayment Authorizations				
3.	Cancel or adjust leases, discontinue utilities, where applicable.				
4.	Arrange for property pickup where agreements with providers have been terminated.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
5.	Review all rental and lease agreements/contracts for equipment, space, automobiles, copy machines, etc., to determine if:				
	a. Agreements contain cancellation clauses.				
	b. Vendors have been notified by June 30, 2000 of the termination of JTPA funds.				
	c. Agreements contain lease/purchase options. If so, determine if option will be exercised or lease will be terminated.	·			
	d. Determine if revisions are required to change the name on contract/lease agreement.				
	e. Determine whether there are equity issues with SDAs that need to be addressed and transfers made to new local area administration.				
E.	PROPERTY				
1.	Validate inventory submitted by subrecipients for property with a fair market value of \$5000 or more to include location, cost, and descriptive data. Also validate subrecipient inventories for all accountable property.				
2.	Update any changes to the inventory based on previous reports and the subrecipient closeout plans.				
3.	Prepare consolidated listing of accountable property for transition to WIA				
F.	LEGAL AND RECORD RETENTION ISSUES				
1.	Pursue any pending litigation or appeals and attempt to resolve.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
2.	Resolve all complaints/grievances and incident reports.				
3.	Prepare fiscal and MIS records for audit and record retention requirements.				
4.	Obtain all required reports and records from subrecipients while contractual or fiduciary relationships still exist (fiscal, participant, administrative).				
5.	Arrange for record storage for required length of time (fiscal, participant, administrative).				
G.	AUDIT ISSUES				
1.	Audit Process				
	a. Ensure responsible government agency has initiated purchase of audit services for years not audited.	· · ·		·	
	b. Determine amount to be prepaid for JTPA share of audit.				
	c. Entrance Conference.		·		
	d. Field work begins.				
	e. Exit Conference.				
1	f. Draft audit report, review and response.				
2.	Subrecipient audits resolved (past and current cycles).				
3.	Subrecipient debts collected.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
4.	For unresolved audits or debts not collected, identify by subrecipient:				
	a. PY				
	b. Questioned costs/costs recommended for disallowance.				
	c. Costs allowed.				
	d. Costs disallowed.				
	e. Funds collected.				
	f. Balance due.				
5.	Audit Records Retention				
	a. Audit reports.		<u></u>		
	b. Documentation provided by subrecipient.				
	c. Specific reason or justification for costs allowed/disallowed.		.,		
	d. Debt collection records.				,
H.	PRIOR YEAR CLOSEOUTS CO	L MPLETED	<u>l</u> Grigoria grada ya		
1.	All prior year closeouts submitted to the State (if NO, identify grant, reason for delay, and expected date of submission).				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
2.	Any prior year closeouts to be revised and resubmitted (if YES, identify grant number(s), reason(s), and expected date or resubmission).				
3.	Complete any outstanding prior year subrecipient closeouts.				
I.	ACTIONS NECESSARY TO COM	MPLETE REQUIRED	CLOSEOUT DOC	UMENTS	
1.	Closeout of subrecipient grants and agreements.				
	Obtain a list of all     subrecipients, contractors and     vendors.			•	
	b. Provide notice to each regarding JTPA closeout and the required submission date for closeout packages.				•
	c. Develop required information to be submitted by subrecipients in their closeout plans and date for submission.				
	<ul> <li>d. Develop closeout procedures and forms providing for:</li> <li>(1) Final Report Procedures.</li> </ul>				
	(2) Cash reconciliation, identifying.				
	(3) Identify unpaid accruals and late billings and expected billing receipt dates.				
	(4) Determine applicability of State escheat laws and implement accordingly.				
	e. Provide training to subrecipients on closeout procedures and forms, distribute forms to be used.				
	f. Receive all closeout packages from subrecipients by established date.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
J.	PROCESS CLOSEOUT PACKAG	GES			
1.	Reconcile subrecipient expenditures with subrecipient cash receipts.				
2.	Analyze final report.				
	a. Pay final amount due, or				
	b. collect excess cash.				
3.	Ensure there is a stop payment on subrecipient unclaimed/uncashed checks.				!
4.	Ensure JTPA bank accounts are closed, where applicable, and final balances are zero.				
5.	Update property listing.			-	
6.	Reconcile cash.				Marker (I) Armed Andrew (II) Andrew (II) Med Armer (II) Med Armer (III) Med Ar
	a. Identify total cash disbursed to subrecipient.				
	b. Identify program income reported by subrecipient.				
	c. Reconcile total available cash (disbursements and program income earned) to total reported expenditures.				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
7.	Determine costs and potential liabilities.				
	a. By Title, prepare aggregate list of unclaimed/uncashed checks (NOTE: Unclaimed wages are a cost).				
	b. Identify claimants by Title and prepare aggregate list of potential liabilities.				
	c. Complete schedule of unpaid liabilities for disbursements to be made to subrecipients until December 31, 2000.				
8.	Identify total expenditures by title and cost category (where applicable) for the State and subrecipients.				
9.	Reconcile books and records so that total costs = cash receipts = cash disbursements = total obligations (four-part equality)				
10.	Close out all JTPA accounting records.				
11.	Enter total costs on final reports.				
12.	Reconcile obligations for determining JTPA carryforward to WIA.				
,	a. By subrecipient, by title, prepare an obligations worksheet including amounts of:				
	(1) Allocation				
	(2) Reallotments				

	ACTION ITEM	PLANNED COMPLETION DATE	DATE COMPLETED	STAFF PERSON ASSIGNED	COMMENTS
	(3) Intertitle transfers				
	b. Compare total obligations with total expenditures in final subrecipient reports to determine available carryforward funding to WIA				
	c. Identify any adjustments to allocation.				
K.	COMPLETE CLOSEOUT PACK	AGE			
1.	Completed final closeout worksheets based on final costs: for PY98: July 1, 1998 to December 31, 2000 for PY99: July 1, 1999 to December 31, 2001			·	
2.	Complete the closeout package and following documents:		,		
	a. Transmittal Sheet				
	b. Awardees Release	120112122411		·	·
	c. Final Cost Reports for each Program Year				
-	d. Refund check, if necessary				
***************************************	e. Grantee's Assignment of Refunds, Rebates, and Credits				
	f. Grant Closeout Tax Certification				
	g. Property Transfer Data				
3.	Submit closeout package to DOL by December 31, 2000				

The closeout plan should include the following:

- 1. An estimate for expenditures that will be incurred for activities concerning the closeout of the PY 11-12 WIA Contract. These activities should occur from July 1, 2012 to December 31, 2012.
- 2. An estimate of the spending for PY12 funds through December 31, 2012. This estimate should include cash expenditures to date, accruals, projections of salary, fringe benefit and non-personal costs through December 31, 2013 and the outstanding balances of contracts for the program year.
- 3. An estimate of the amounts of all the funds that will be transferred to MDOL. This estimate will be used to develop the budget for the remainder of PY 12.

CLOSEOUT EXPENDITURES				
EXPENSE ITEMS	AMOUNT			
Salaries and fringe benefits associated with staff conducting closeout	\$			
activities				
Unemployment Insurance	\$			
Severance Pay	\$			
Accrued Leave	\$			
Space Rental	\$			
Record retention and storage costs	\$			
Audit Costs	\$			
Penalities and other costs associated with the early termination of	\$			
leases and subrecipient agreements				
Late claims	\$			
Unfunded liabilities	\$			
Other closeout costs: (List)	\$			
TOTALS	\$			

	Sources of Closeout Expenditures					
Program Year	Grant and Cost Category	Amount				
	Tot	al				

Projected Expenditures Thru December 31, 2012								
Program Year:								
TITLE	Expeditures to Date	Accruals	Projected Salaries and Other Costs	Outstanding Contract Balances	Total Projected Expenditures			
WIA Adult								
WIA DW								
WIA Youth								
NEG:								
Other								
		·	_		_			

TITLE	Total Amount of	Less Estimated	Less Projected	Total Carry Over
IIILE	Contract	Closeout Costs	Expenditures	Amount
WIA Adult				
WIA DW				
WIA Youth				
NEG:				
Other Grants:				

# PUBLIC COMMENTS WIA STATE PLAN 2012-2016

# **AND**

# **REQUEST FOR WAIVER**

The WIA State Plan 2012-2016 was posted for public comment from August 18, 2012 through September 2, 2012. The request for a waiver to permit the State Workforce Investment Board to assume the roles and functions of a Local Workforce Investment Board is contained in the WIA State Plan. Public comments received reflected comments related to both the Waiver and the Plan.

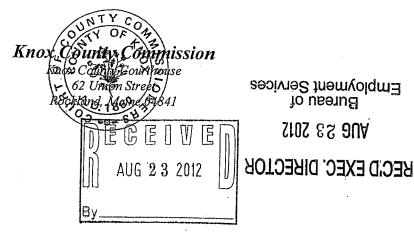
The public comment announcement that appeared at <a href="http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases&id=42">http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases&id=42</a> <a href="7453&v=MJCArticle">7453&v=MJCArticle</a> was as follows:

August 17, 2012

The State Workforce Investment Board is soliciting input on the 2012 Workforce Investment Act State Strategic Plan. Comments will be received from 8/18/12 to 9/2/12 at SWIB.dol@maine.gov or at SWIB SHS 120 Augusta, ME 04333.

3

Alternative formats of this document are available upon request at SWIB.dol@maine.gov or (207)621-5087.



August 22, 2012

State Workforce Investment Board 120 State House Station Augusta, ME 04333

To whom it may concern:

The Knox County Commission opposes Maine Gov. Paul LePage's plan to revamp the federal job training program in Maine and urges you to reject his bid for a waiver from the guidelines under the Workforce Investment Act.

Gov. LePage has proposed to dismantle the local Workforce Investment Boards and turn the administration of millions of dollars of job training funds over to The Maine Department of Labor. We understand that the local chambers of commerce will have a role on a regional basis. However, the chambers are ill suited to carry out the expectations of the Workforce Investment Act. Bottom line: The overall control of the program would be centered in Augusta instead of with the local and regional LWIBS, as federal law mandates and we disagree with this outcome.

Furthermore, Gov. LePage is using erroneous figures to justify his proposal. His claim that the current program spends a disproportionate amount of its funds on overhead instead of actual job training services is absurd. As you know, the LWIBs are routinely audited and by law cannot spend more than 10% of its funds on administration.

The LWIBs in Maine have a proven track record of success in providing job training and workforce development services to thousands of out-of-work or displaced workers. Why "fix" what isn't broken? While improvements can always be made, a wholesale change from the job training programs that Congress envisioned is neither wise nor warranted.

Please reject the governor's request for a waiver from an important program that is working for so many in need.

Sincerely,

Roger A. Moody, Chair Knox County Commission

Cc: Andrew L. Hart, Knox County Administrator

**CCWI** 

#### August 23, 2012

Dear Mr. Webber,

I am writing to express my opposition to the 2012 State Workforce Investment Plan and subsequent USDOL waiver that you are seeking. Maine has an effective Workforce Investment System administered locally through the Local Workforce Investment Boards and chief local elected officials (CLEO). This system has been in place since 2000 when the CLEO from the 16 counties, the Maine Jobs Council and the King Administration met over the course of a year through a collaborative process to come to agreement on the four local areas and other policy matters. This system has been working effectively for over twelve years.

According to the regulations at 20 CFR 661.420 (e)(1) – the USDOL Secretary can only grant the waiver if Maine proves the waiver request is for a requirement that "impede(s)" the ability of the state or local area to implement state plan, 29 USC sec 2939 (i)(4)(C)...Yet there have been no solid arguments made by your administration that the current make-up/system creates an obstacle or impediment etc. As a matter of fact, your waiver request itself states that overall customer satisfaction is not being questioned under the current four LWIB system...Moreover, given how ell Maine has generally performed in many areas of WIA administration your administration has no foundation on which to base an argument that the current LWIB configuration impedes WIA administration and or any state plan which is in compliance with federal law. The LePage waiver request is a pretext for a single state delivery system which we believe is not permissible given the fact that Maine was not a single state delivery system under the Job Training Partnership Act as of July 1, 1998, and as a result, per the WIA and its regulations cannot become one.

Furthermore, the regulations as 29 USC 2939 (i)(4)(A) provides that the Sec. of Labor cannot grant a waiver that redefines local area or local board functions. There is no doubt that the local areas under the LePage plan, are a significant departure from the local area definition under WIA. Your state plan establishes the Chambers as simply "facilitators and conveners" of business input. Therefore, your waiver redefines the local areas' definition in addition to restructuring the workforce delivery system in Maine. Under the proposed plan the local area is now relegated to simply local business facilitators and conveners ergo, local board functions are redefined.

As the chief local elected official, I DO NOT support the 2012 Maine State WIA Plan, nor the included waiver request.

Sincerely,

Lynn Gilley Orne Lincoln County Commissioner

#### Freund, Richard

From: Denise Griffin [denise.griffin@thefirst.com]

**Sent:** Friday, August 24, 2012 10:36 AM

To: DOL, SWIB

Subject: WIA State Plan Comments

Dear Mr. Oswald:

As a member of the Coastal Counties Workforce Board, and the Human Resources Officer for a regional Maine commercial bank located in five counties, I am writing to express my concern over the State's plan to centralize Maine's workforce investment activities and to dismantle the current structure of local workforce investment boards.

I have served as a member of the Coastal Counties Workforce Board for the past 8 years, one of those years as Youth Council Chair. I have witnessed first-hand the complexity involved in effectively managing federal Workforce Investment Act resources across a six-county region and question the State's proposal to now attempt to successfully manage those resources across all 16 counties.

The State should play a role, as they have for the past ten years, in the monitoring and oversight of Workforce Investment Act (WIA) resources. However, neither the Maine Department of Labor, nor the State Workforce Investment Board have the capacity to properly monitor AND oversee WIA programs while taking on the LWIB functions (which the Governor's plan proposes). LWIBs are charged with the oversight of the *regional* One-Stop system including: allocating employment and training resources, identifying eligible providers of youth, adult and dislocated worker services, overseeing provider performance, coordinating workforce investment activities with economic development strategies and assisting local employers in meeting hiring needs. LWIBs are also responsible for ensuring that a youth council as a subgroup of the Local Board is established and that coordination with workforce and youth plans and activities in accordance with WIA occurs. Local Boards are also an integral part of regional planning which is a precept under WIA. Neither the MDOL nor the SWIB have existing capacity to take over such obligations and per their direct omission, they do not intend to utilize administrative funds to hire the additional capacity to fulfill these obligated WIA responsibilities.

The Governor's intention to "dramatically decrease the WIA administrative dollars used to support four LWIBs and to apply those saved dollars to training assistance for participants" is ill advised. This destroys the regional capacity to align and seek other resources and provide necessary accountability. Although I agree that additional funds could be added to participant training, I strongly disagree with the method of achieving the savings. Savings should be obtained through service provider consolidation as Coastal Counties performed several years ago, not through the dismantling of a system which provides valuable resources to Maine's residents.

I urge you to reconsider this approach to redesigning Maine's employment and training infrastructure and work within the current system to continuously improve how we meet the needs of Maine's people and businesses.

Please feel free to contact me with questions or concerns.

Sincerely,

Denise C. Griffin, SPHR Assistant Vice President, Human Resources

**Denise C. Griffin, SPHR** | AVP, Human Resources **The First, N.A.**, a division of The First Bancorp

tel 207.563.3195 ext. 2060 | 800.564.3195 ext. 2060 fax 207.563.2628 P.O. Box 940 | Damariscotta, Maine 04543 denise.griffin@thefirst.com www.thefirst.com



Linking Workforce and Economic Development in Hancock, Penobscot, and Piscataguis Counties

August 23, 2012

Fred Webber, Chairman State Workforce Investment Board SHS 120 Augusta ME., 04333

#### Dear Fred Webber:

Upon reviewing the Maine Jobs Council/ State Workforce Investment Board's (SWIB) strategic plan, the County Commissioners for the Tri County Workforce area (Penobscot, Piscataquis, and Hancock Counties) submit this letter as formal public comment opposing the plan and strategies that would eliminate the local workforce investment boards and restructure the workforce system in Maine. We take issue with the SWIB strategic plan as it clearly describes the SWIB as a single state delivery area.

As you know the WIA regulations at 20 CFR 661.300(f) allows the State Board to carry out the roles of the Local Board only if they were a single service delivery area under the Job Training Partnership Act (JTPA):

As provided at 20 CFR 661.250(d), the "governor of any state that was a single service delivery area state under the Job Training Partnership Act as of July 1, 1998, and only those states, may designate the state as a single local workforce investment area state" (WIA Section 116).

This is obviously not the case in Maine. Maine was not a state considered to have had a "single state" designation, under JTPA and therefore was not eligible to be "grand-fathered" as a single state SWIB as provided below under WIA. Since 2000 Maine's workforce system has included four local workforce boards.

Furthermore, there is also no consideration in the State's plan for the CLEOs role as fiscal agent or other functions provided to CLEOs under the WIA as cited below:

Sec 117 (d)(3)(B) Administration.—(i) Grant recipient. (l) In general.—The chief elected official in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area under sections 128 and 133, unless the chief elected official reaches an agreement with the Governor for the Governor to act as the local grant recipient and bear such liability.

Frankly, in the absence of the agreement of Maine's CLEOs to relinquish their authority or functions to the Governor or other compelling reasons cited by the State for eliminating the local areas as they exist, we do not believe the State's Plan is enforceable.

As fiduciaries for the WIA funds in Penobscot, Piscataquis and Hancock Counties we have worked diligently with the TCWIB to provide the strongest workforce development system possible in our region. We continue to move forward to this end. In fact the TCWIB has received excellent feedback from the state as a result of their program reviews and has been cited in a recent Training Employment Guidance Letter (TEGL) for best practice in its WIA Youth program. We do not believe that eliminating local control of those resources and substituting a state-led system of engagement with businesses will result in better, more effective services for workers and employers in our region or across the state.

For the record, we strongly support the SWIBs plan to increase training funds and strengthen the ties between the businesses in Maine and our job seekers. In 2009 the Commissioners supported the Tri County Workforce Investment Board's (TCWIB) plan to contract with Eastern Maine Development Corporation (EMDC) as the WIA service provider with the deliberate intent to align workforce and economic development. Our primary goal was to increase job placement and training by more closely aligning the needs of businesses to our job seekers' strengths. We stand firm and are confident this model is working in our region. To further support our standing this model has been recognized multiple times by our national partners as a best practice.

We also disagree that the state's plan to engage the business community by anointing the state's Chambers of Commerce as the connector to businesses statewide is a better business engagement model than the existing workforce boards. Most businesses are not actively connected to the Chamber of Commerce and will potentially be left out of the system. The TCWIB and EMDC, in its current role as the WIA service provider and the regional economic development district, actively seeks out all businesses in our local area, and works with them regardless of their status with the Chambers of Commerce.

The current structure of the TCWIB and Eastern Maine Development Corporation as the WIA Service Provider and One Stop Operator has also created a strong connection with other One-Stop partners and community services in our region and we want to maintain and strengthen this model. The Commissioners continue to encourage TCWIB and EMDC to partner with MDOL in all locations funded by our WIA contract. For example, TCWIB and EMDC provide free space and other resources in Hancock County, Piscataquis County and Northern Penobscot County so that MDOL staff can provide labor exchange, TAA and Vocational Rehabilitation services to local residents. MDOL has not shared the cost of these facilities since 2008. Our first priority has always been to reinforce services to our job seekers and businesses in the most collaborative and cost effective possible.

In contrast to the local collaboration and partnership development that we as CLEOs have fostered through the TCWIB, the efforts of CLEOs statewide, the TCWIB and EMDC to communicate and work with the Governor and his administration on his plan have been largely ignored. We strongly disagree with the description that the CLEOs have been consulted with by the Governor on this new strategic plan. In fact, as a result on several occasions we have formally expressed our *opposition* to the plan as it was being developed and in its final form. In **November 2011** the Commissioners stated that they were universally opposed to any action that would terminate the existing composition, structure and implementation of Maine's workforce system. A resolution was adopted by the Chief Local Elected Officials for the 16 counties in the State of Maine and they agreed unanimously to keep the designation of the Local Workforce Investment Boards in place as they exist today; and, have existed since the implementation of the Workforce Investment Act (WIA). The following is the Resolution that was adopted by the CLEO members in November:

"The chief local elected officials support the current legal designation of the four local areas in Maine that was agreed to in the year 2000 through a collaborative process among Maine's County Commissioners, the Maine Jobs Council and the Governor and recognized by the United States Department of Labor and we do not support any attempt at resignation."

On **February 22, 2012** the five CLEOS sent a letter to Jane Oates requesting her assistance in this matter. All five stated formally that they were opposed to the plan to restructure the workforce system and eliminate the local boards.

Mr. Webber, as you know the County Commissioners posted a public comment on May 1, 2012 when the SWIB requested a waiver for the strategic plan modification. The following statements were included in the formal public comment and continue to hold true for us:

"While we understand and support the Administration's desire to increase training resources and to create efficiencies of service and program delivery, we disagree with the Administration's methods. The omission of the Local Areas from the SWIB membership, although consistent with the Administration's plan to extinguish the LWIB structure, a plan we are on record for being opposed to, is very imprudent and will jeopardize the decision making capacity of the SWIB."

We continue to be troubled by the challenges we face when trying to collaborate with the Governor, his administration and the SWIB in the strategic planning process as it will directly impact the residents of our local area. In fact, as Commissioners for three counties we saw no description of how the Governor's plan would allocate funds equitably to all sixteen counties, if the local workforce structure were eliminated.

Recently the SWIB Director and the Deputy Commissioner of the MDOL presented their ideas to the Maine County Commissioners Association and were told clearly that the Commissioners oppose the plan to eliminate the LWIB's. The Commissioners followed up by sending a letter to the Governor restating their position in opposition of the plan.

We the Commissioners of Penobscot, Piscataquis and Hancock Counties formally state that we remain in opposition to the SWIB's strategic plan.

Sincerely,

Tom Davis, Penobscot County Commissioner

punty Commissioner

Tom Lizotte, Piscataquis County Commissioner



It has come to my attention that the Governor is proposing to dissolve the current workforce investment boards, including one of Waterfront Maine's long time tenants Coastal Counties Workforce, Inc. As a local landlord and regional real estate developer, I am concerned that the governor's plan to centralize workforce development activities to Augusta will exclude organizations like mine from having a voice at the table.

Waterfront Maine owns and manages Fort Andross, a Mill Complex located on the Androscoggin River in Brunswick, Maine, just north of Portland, adjacent to Routes 1 and 95. This historic brick structure, once known as the Cabot Mill, has been rechristened "Fort Andross" after the original pre-revolutionary fort erected on the same site in 1688. Over the years, the Mill has served a number of companies in a variety of businesses, including the manufacture of cotton cloth, woolen broadcloth, synthetics, shoes, brushes and woven fiberglass. In this tradition, the building's phased renovation has followed a mixed use format, providing prime office, retail, light manufacturing and warehouse space. This business center has attracted architectural, engineering and law firms, as well as media, financial services companies and not-for-profits. The building provides a unique and affordable opportunity for area businesses to upgrade their image while allowing for future expansion.

Successful ongoing and future expansion of the Fort Andross complex requires collaboration with local organizations like CCWI. CCWI has been a strong advocate for the redevelopment of former mills like Fort Andross and for ensuring that the companies Waterfront Maine attracts to these facilities have access to the skilled workers they need. It would be a blow to Brunswick and the surrounding region to lose the resources of CCWI.

I urge you to reconsider your approach to reorganizing Maine's workforce development activities.

Thank you for your time and consideration,

Anthony Gatti Waterfront Maine

14 Maine Street suite 107 Brunswick, ME 04011

(207) 729-7970

Waterfront Maine 14 Maine Street Brunswick, Maine 04011

# M.C.C.A.

#### MAINE COUNTY COMMISSIONERS ASSOCIATION

Amy Fowler, President Waldo County

Steven Joy, Vice President Hancock County

Gary McGrane, Secretary/Treasurer Franklin County

DEGETMED AUG 24 2012 By\_\_\_\_\_ 4 Gabriel Drive, Suite 2 Augusta, ME 04330 Tel: 207-.623-4697

J. Timothy Leet Int. Executive Director

August 22,2012

S.W.I.B. #120 State House Station Augusta, Maine 04333-0001

The Chief Local Elected Officials (CLEO's) are opposed to the reorganization of the four regional Local Workforce Investment Boards into eight economic development Chamber of Commerce districts under the auspices of one State Workforce Investment Board.

The Maine County Commissioners wish to officially go on record supporting the position of Maine's sixteen CLEO's.

We do agree that a State Workforce Investment Board is necessary in establishing guidance and policies that conform to federal rules and regulations. However, the State Workforce Investment Board (SWIB) goes too far when it usurps the CLEO's legal authority, and assumes the role of the four Local Workforce Investment Boards.

Regionalism is compromised when all of the oversight rests with one agency centrally located in Augusta. The Local Workforce Investment Boards presently coordinate and facilitate a regional approach. They also collaborate among and between the four regional areas in the delivery of services.

The present Workforce Investment Boards consist of fifty-one percent private businesses in each local region. The four regions presently have the local support of area businessmen and women. They presently oversee workforce development programs and meet to periodically ensure continuity and compliance with state and federal rules, regulations and administrative oversight as needed.

One of the major concerns has been the exclusion of the Local Workforce Investment Boards and Chief Local Elected Officials involvement in the process of developing the Governor's proposal, and we can certainly understand that a smaller group is much more manageable to accomplish the Governor's goals yet we are miffed that the Maine Department of Labor would marginalize the required input from these two federally authorized entities.

I am opposed to proposed State WIA plan and waiver request and ask the Department of Labor to reject both.

Sincerely,

Gary T. McGrane Secretary/Treasurer

Maine County Commissioners Association

4 Gabriel Drive, Suite #2 Augusta, Maine 04330

### Freund, Richard

From: Sandra Updegraph [fedc@freeportmaine.com]

**Sent:** Monday, August 27, 2012 9:49 AM

To: DOL, SWIB

Cc: Schuman, Kristine

Subject: WIA Strategic Plan Comments

Ladies and Gentlemen,

Thanks to all of you who have been involved in the preparation of this extraordinary document. The concept seems reasonable, logical and designed to have a more direct positive impact on workforce development by streamlining the structure.

My comment is about the selection of the state chambers as the "primary conveners of the business community at the local level". (pg. 4 of the Plan). While the chambers are an excellent communication channel, I suggest that they are not the *only* nor, in some cases, the *best* channel. In the Chamber Region Workforce Statistics Report, the number of private establishments in the Greater Portland & Casco Bay Region is 12,246, while the number of chamber members in the same region is only 1,636 – about 13% of the businesses.

Perhaps, an additional way of contacting/involving businesses would be through local or regional economic development organizations. I believe that the EDDs align geographically with the chamber districts. Local economic development offices or organizations almost always have a much greater reach than chambers who communicate with their members only – not the business community at large. DECD has developed a strong regional Account Executive program. Kristine Schuman has been an effective and tireless advocate and communicator in our region. I would support using that system as well as the chambers. In Freeport, for example, FEDC maintains a list of 540 businesses that is 99% complete. We have over 400 e-mail addresses (some businesses don't have e-mail) and regularly send information of import to those businesses. The Freeport Chamber is excellent but has a membership of 184.

I hope that Maine DOL chooses to use *both* the chambers and economic development offices to explain and gain support for the <u>WIA Strategic Plan 2012-2016</u>.

Your efforts to strengthen and target workforce development are needed and much appreciated.

Sande Updegraph

Sande Updegraph, Executive Director
Freeport Economic Development Corporation - FEDC
30 Main Street
Freeport, Maine 04032
207-865-4743 x 117
fedc@freeportmaine.com
www.FreeportEcon.com
Member Freeport USA and Greater Freeport Chamber of Commerce



A public-private partnership committed to economic growth in Northern Maine

S.W.I.B. SHS 120 Augusta, ME 04333

August 20, 2012

The Aroostook Partnership for Progress (APP) is a public-private partnership that is a private business driven economic development organization. The mission of APP is to grow Aroostook County's economy by growing business opportunities, creating jobs, marketing the region, and facilitating an effective economic development dialogue in the region. APP has worked very closely with the Aroostook-Washington Local Workforce Investment Board (AWLWIB) and we believe strongly that the current local area designation for Maine makes sense.

Recently, APP has embarked on business development initiatives with the assistance of the AWLWIB. One of these initiatives is the Aroostook County Jobs Projection project. The purpose of this effort is to help stem student outmigration, to inform Junior High and High School students of upcoming job opportunities, and to attract former Mainers back to Aroostook County to aid local businesses with aging workforce issues.

The AWLWIB has provided valuable resources and information to assist in this very important economic and workforce development initiative. We believe strongly that the proposed redesignation of Maine's Local Workforce Areas would be detrimental to our County and the job seekers and businesses that we serve.

We stand united with others who oppose Maine's proposed WIA plan and ask you to deny any request at re-designation of the local areas that were adopted through a collaborative process when the Workforce Investment Act was authorized. We further oppose any attempt to give the State Workforce Investment Board authority over the local areas regarding WIA matters. We believe the best help to local workforces in retraining comes from LWIBs who reside in the area and fully understand the situations of their constituents.

Thank you for the opportunity to provide public comment on this very important proposal and we look forward to working with the Aroostook-Washington Local Workforce Investment Board in the future.

Sincerely,

Robert Dorsey, President & CEO

Robert Jorsey

Aroostook Partnership for Progress



## Southern Aroostook Development Corporation

August 20, 2012

S.W.I.B. 120 SHS Augusta, ME 04330

To Whom It May Concern:

The Southern Aroostook Development Corporation (SADC) is an organization committed to growing and expanding economic development and business growth in our region of the State of Maine. We believe strongly in investing in our workforce and ensuring the needs of businesses and job seekers are being met to fulfill this mission.

We are opposed to changes that are currently being proposed to designate Aroostook County as a local workforce area and to give the State Workforce Investment Board oversight of the current Local Workforce Investment Boards authorities.

SADC has worked collaboratively with the Aroostook-Washington Workforce Investment Board on a variety of economic and workforce development projects and believe that the Workforce Investment Act was intended to provide local decision making and programmatic oversight to local business leaders. We feel the proposed waiver request that is currently under consideration is an attempt to circumvent a process that is working very well in our region and is meeting the needs of our areas job seekers and job creators.

We encourage the United States Department of Labor's Employment and Training Administration to deny any request made to re-designate the local areas in Maine and further deny any request to strip the local workforce investment board's authority regarding workforce investment activities.

Thank you for your time and consideration.

Sincerely,

Jon A. McLaughlin, Executive Director

on A. M'Layhlin

Southern Aroostook Development Corporation

#### Freund, Richard

From: julie johnston [juliejohnston0852@gmail.com]

Sent: Monday, August 27, 2012 10:35 AM

To: DOL, SWIB

Subject: Comment regarding proposed SWIB plan

I do not support the changes proposed by the governor. Specifically, no information is shared about funding and how the funds will be distributed. Safeguards need to be in place to ensure that money from the DOL gets distributed systematically throughout the state rather than a methodology based on the governors whimsy.

I also question the chamber of commerce's ability to take over the management of services ~ this is not in alignment with their mission. A flaw in this plan assumes that all businesses are affiliated with the chamber. This is wrong, in fact some large companies recently have opted to discontinue their membership (hannaford and unum).

Thank you for your consideration,

Julie Johnston Hampden L.L.Bean employee TCWIB member 125th Legislature Senotte of Maine Senate District 35

Senator Troy Dale Jackson 3 State House Station Augusta, ME 04333-0003

> 167 Allagash Road Allagash, ME 04774 Home (207) 398-4081 Cell (207) 436-0763

August 28, 2012

S.W.I.B. SHS 120 Augusta, ME 04333

I have had the privilege of representing the constituents of Northern Aroostook County as State Senator of District #35 since 2008 and I previously served six years as a member of the Maine House of Representatives.

I have proudly been a strong labor advocate, and in recent years have led the cause for fair wages for loggers and independent truckers. While a member of the House, I sponsored several pieces of legislation to address logging issues. I am currently a member of the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

In the 124<sup>th</sup> Legislature, I served as House chair of the Committee on Labor. I have served on the Labor Committee for 10 years and have been a strong proponent of workforce training and development. In addition, I have been a strong advocate for labor in Aroostook County and the State.

I am very troubled by the proposed State of Maine Workforce Investment Act plan and the waiver request that is being considered currently by the United States Department of Labor. The plan is an attempt to circumvent the current configuration of Maine's local workforce investment areas and to delegate the State Workforce Investment Board to oversee WIA programs in the local areas.

I am very opposed to the proposed plan and waiver request. Maine's Chief Local Elected Officials are charged with ensuring that the workforce development system serves our unemployed adults, dislocated workers and disadvantaged youth. I believe that the current arrangement makes the most sense for our State and I strongly encourage that the proposed plan and waiver request be denied by the United States Department of Labor Employment and Training Administration.

Sincerely,

Troy D. Jackson, State Senator

District #35

The Honorable Paul LePage Governor of the State of Maine 35 State House Station Augusta, Maine 04033

Dear Governor LePage:

I am writing to comment on the 2012 Workforce Investment Act State Plan.

Southern New Hampshire University is a not-for-profit, regionally accredited university with an 80-year history of educating successful professionals. SNHU has a total enrollment of more than 13,000 students in more than 150 undergraduate and graduate degree and certificate programs, available online, at our main campus in Manchester, N.H., and at our regional centers in New Hampshire and Brunswick, Maine. SNHU's Brunswick Center was established in 1967 at the request of the U.S. Navy, and has graduated over 9000 individuals, nearly a quarter of whom continue to live and work in Maine.

Southern New Hampshire University has been a strong educational partner of Coastal Counties Workforce Board for a number of years now. Most notably, after the Brunswick Naval Air Station was targeted for closure, it became apparent that regional strategies needed to be developed to make certain that workers adversely affected had the training and transitional support that they needed to move into new career tracks.

The Coastal Counties Workforce Board provided strong, proactive leadership in the region, beginning with an important community audit which provided much needed data to educators, employers, workers and other service providers. This data served all stakeholders as the basis for developing effective strategies, and the resulting forward-looking plans were made to serve both primary and secondary base workers.

My concerns are based on my understanding that the newly proposed chamber regions do not seem to clearly meet the Workforce Investment Act (WIA) definition of local areas. As a member of three local Chambers, I perceive Chambers as member organizations that serve a specific role: they are local business organizations whose goal is to further the interests of their business members. They are somewhat constrained in that, while they generally promote business development in their communities, they must first serve their membership's needs. LWIBs are not member organizations. Rather, their role is to further the needs of an entire region, not members.

It is apparent to me that in this region the Chambers are already involved with the LWIB. In 2010 the Coastal Counties Workforce Board posted a RFP for Chambers as a key strategy to serve residents in the Coastal Counties region by developing effective working relationships with the region's business community. The plan was to identify potential internships, work experiences, on-the-job training, and unsubsidized employment opportunities for its job seeker customers. Although the Governor's proposal is similar in outcome to what this region's LWIB already does, the difference is that the Governor's plan strips the LWIB and the entire WIA capacity from this region. The lack of capacity at the Chambers is very real, even in this Southern part of Maine, and my decadeslong experience in linking education and training with the business sector in rural Washington, Aroostook and Hancock counties, affirms that in the more rural regions of our state their resources – capacity – are even more meager. Chambers will require substantial resources to effectuate any of the Governor's plans, at a time when the message from your administration is that additional resources are not likely to be forthcoming.

As a Maine native with experience in both public and private sectors and who holds degrees in education, economic development and rural development policy, I have been both a participant and observer of our state's workforce development efforts for four decades, most of that time in Aroostook and Washington counties. In candor, an additional concern I have regarding this proposal is that State efforts to address issues via a single entity rarely seem to engage or improve conditions in our more rural and socioeconomically distressed counties. Though I understand you have proposed eight work force areas feeding into the state-wide workforce board, it would seem unlikely that the small, scattered and poorly resourced Chambers in our "rim counties" will be able to overcome such limitations and benefit in equal share from this proposed consolidation of workforce authority.

In my view, Coastal Counties Workforce Board has established itself as a viable player in this region. Its staff has shown their value and expertise at bringing millions of dollars into this region over the past few years. From the creation of the Advanced Technology Center in Brunswick to its leadership on providing resources to community colleges for Health Care Training to their most recently obtained H-1b STEM grant. I sincerely worry about both the chambers of commerce and even the state's capacity to bring these precious resources to the coastal region of the state.

In closing, I am deeply concerned that this plan will eliminate a well-functioning regional entity in the southern mid-coast region, with little or no benefit to other areas of the state. Maine is a big state geographically and requires regional approaches to education and training. From my decades of experience in the fields of postsecondary education, workforce training and community development, the elimination of Local Workforce Development Boards in favor of a single, state centralized approach to employment and training delivery in Maine is far less likely to meet such diverse conditions and needs.

Terxall

Sincerely,

Wm. E. Yerxa II, Director

SNHU-Maine Center for Continuing Education

District 2-Richard L. Parent, Jr.

District 3 - Roger A. Moody



August 22, 2012

State Workforce Investment Board 120 State House Station Augusta, ME 04333

To whom it may concern:

I am writing to provide comments on the State Workforce Investment Plan of 2012 and USDOL Waiver Request.

Pursuant to TEGL 37-10, one of the factors allowing a state's authority to designate or re-designate Local Areas can occur "[w]hen a local area, specifically the chief elected official, voluntarily agrees to re-designation." The local area, the state workforce investment board, or the governor may propose a local area re-designation." Per our letter of Feb. 15, 2012 to Assistant Secretary Oates, we are on record for not being in agreement. TEGL 37-10 lists two other circumstances under which a local workforce area can be abolished or restructured without local consent:

- WIA rules and requirements have been "substantially violated;"
- The local area has "substantially failed" to meet WIA performance standards.

However, Maine's State Workforce Plan of 2012 nor the waiver request cite either of these factors in making a case for local area abolishment in Maine. In fact, justification for local area abolishment is weak. This much is clear: Governor Le Page is attempting to eliminate the four local workforce areas and instead institute a single workforce area in Maine.

The Governor and his officials claim that they consulted with the local authority, but the two brief encounters were not a consultation. Consultation generally means to ask the advice or opinion, to confer or deliberate together. Both on October 6, 2011 when meeting with the LWIB directors and February 7, 2012 when he met with the CLEOs, he made his pronouncements but, a consultation never occurred. Both the LWIB directors and CLEOs were told that not enough of the WIA program dollars were being spent on direct training and that the LWIBs were being done away with and the state would become a single state delivery area. The discussion was one-sided – the edict unilateral.

The waiver and plan indicate that the eight chamber regions will "replace" the current four local areas, but this is a smokescreen. Local control is lost. On one hand the state claims to save dollars by eliminating local areas and redirecting administrative funds to training; while on the other hand the same money will support chamber staff to <u>not</u> administer WIA, but instead simply act as facilitators for business engagement. The administration of WIA will be left to the current staff of Maine Department of Labor. No new staff will be added, instead the work of four local areas will be subsumed into an overwhelmed bureaucracy which already has proven it has difficulty meeting its "state" WIA obligations without adding the full gamut of local WIA responsibility to the mix.

As the chief local elected official for Knox County, I do not support Governor Le Page's 2012 Maine State WIA Plan nor the included waiver request.

Sincerely,

Roger A. Moody, Chair Knox County Commission

Cc: Andrew L. Hart, Knox County Administrator

CCWI

Governor Paul R. LePage



## Freund, Richard

From: Wayne Holmquist [wholmqui@maine.rr.com]

**Sent:** Monday, August 27, 2012 3:50 PM

To: DOL, SWIB

Subject: State Plan SWIB

I sincerely believe the new plan will attract many new job offers from employers resulting from the contacts made through the Councils.

I also believe, as Chair of our local council, that the organizations will benefit with this affiliation by adding new membership.

Wayne R. Holmquist





Sallie V. Çhandler, Chair District 1

Richard R.Dutremble District 2

Daniel C. Cabral District 3

David E. Bowles
District 4

Gary A. Sinden District 5

# COUNTY COMMISSIONERS COUNTY OF YORK

45 Kennebunk Road Alfred, Maine 04002

(207) 459-2313 Fax (207) 324-9494

commissioners@co.york.me.us

Gregory T. Zinser County Manager

Kathryn A. Dumont Assistant to the Manager

Victoria C. Ridlon Finance Director

Frank P. Wood Treasurer

Rose M. Leeman Deputy Treasurer

August 24, 2012

S.W.I.B. State House Station120 Augusta, ME 04333

Dear Mr. Webber;

I am writing to provide comments on the State Workforce Investment Plan of 2012 and USDOL Waiver Request.

Governor Le Page is seeking to eliminate the current four local workforce area designation agreed to in 2000 by Maine's Governor Angus King, the Maine Jobs Council and the Maine's County Commissioner Association.

Although Governor Le Page's plan claims to re-designate the four local workforce areas into eight chamber regions, the chamber regions do not meet the definition of local workforce areas as prescribed by WIA. According to Section 117(a):

Establishment- There shall be established in each local area of a State, and certified by the Governor of the State, a local workforce investment board, to set policy for the portion of the statewide workforce investment system within the local area (referred to in this title as a local workforce investment system") (Emphasis added).

Neither the State Plan nor the Waiver Request outline any intentionality for eight LWIBs to be established within each of the eight Chamber Regions.

Furthermore, there is also no intention for CLEO's to maintain their local authority by appointing board members to LWIBs, selecting a fiscal agent or working with a newly appointed LWIB in selecting a one stop operator, developing a memorandum of agreement or developing a local plan. Instead the Governor is attempting to usurp **ALL** local authority. Under this scenario, there is no collective CLEO body to negotiate the mandatory CLEO agreement to handle fiscal liability in each of the new eight regions. For example:

WIA section 117(d)(3)(B)(i)(II) specifically authorizes the chief elected official(s) to designate an entity to serve as a local fiscal agent in order to assist in the administration of grant funds at the local level. Similarly, the chief elected official(s) may designate an entity to carry out their other responsibilities. Under Sec. 661.300(c), the chief elected official(s) may enter into an agreement with the Local Board that describes the respective roles and responsibilities of the parties. However, the chief elected official(s) remains liable for funds received under title I of WIA unless they reach an agreement with the Governor to bear such liability. This is the only situation in which the chief elected official(s) is not liable for funds.

The Maine State WIA Plan is a bold attempt to take authority where there is none; to transfer local authority to the state. The WIA legislation and regulations simply do not allow for such a power grab. Yet the State Plan supposes that the Maine Department of Labor will take over the staff role of the current LWIB system. As is clear in WIA statute, this can **ONLY** be done if a single service delivery area is established. However Maine simply does not qualify to take this step:

Per 20 CFR § 661.250 (d), The Governor of any State that was a single service delivery area State under the Job Training Partnership Act as of July 1, 1998, and only those States, may designate the State as a single local workforce investment area State. (WIA sec.116.) (Emphasis added). Maine was not a single-state delivery area at any time including on July 1, 1998.

#### Furthermore:

USDOL's own comments on § 661.250 (d), state "We interpret section 116(b) as limiting single local area designations to only those States which were designated as a single service delivery area State under JTPA, as of July 1, 1998. Section 661.250 is revised to by adding a new paragraph (d) to specifically authorize Governors of States which were single service delivery area States under JTPA, as of July 1, 1998, to designate the State as a single local workforce investment area. (Emphasize added).

In an apparent attempt to seek exception to the law, Governor Le Page is seeking a waiver from the Secretary of Labor in order to proceed with re-designating/eliminating the four local workforce areas. However, WIA §189(i)(4)(A)(i) prohibits the Secretary from granting waivers regarding local area designation.

(4) General waivers of statutory or regulatory requirements.--

(A) General authority.--Notwithstanding any other provision of law, the Secretary may waive for a State, or a local area in a State, pursuant to a request submitted by the Governor of the State (in consultation with appropriate local elected officials) that meets the requirements of subparagraph (B)--

(i) any of the statutory or regulatory requirements of subtitle B or this subtitle (except for requirements relating to wage and labor standards, including non-displacement protections, worker rights, participation and protection of workers and participants, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility of providers or participants, the establishment and functions of local areas and local boards, and procedures for review and approval of plans); and

Moreover, TEGL 37-10 specifically clarifies the Code of Federal regulations on point and remarks on the "...language that has been included in DOL Appropriations Acts since FY 2006..." which re-enforces the DOL's limitations on administrative action e.g., approving a waiver request by the Governor of a state, that would have the effect of modifying the redesignation of local areas. The relevant language from the Appropriations Acts is as follows:

The Secretary of Labor shall take no action to amend, through regulatory or administration action, the definition established in section 667.220 of title 20 of the Code of Federal Regulations for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for re-designation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act)..." (Emphasis added)

Pursuant to TEGL 37-10, one of the factors allowing a state's authority to designate or redesignate Local Areas can occur "when a local area, specifically the chief elected official, voluntarily agrees to re-designation. The local area, the state workforce investment board, or the governor may propose a local area re-designation."

In addition, TEGL 26-09 Change 1 in discussing the State Board as Local Board Waiver, directs that "This waiver does not, on its own, alter or eliminate a state's local areas."

Finally, it is my understanding that at a recent National Governor's Association conference in early August 2012 in Seattle, Assistant Secretary Oates addressed 27 states on the issue of local area designation. Ms. Oates provided clarity on the subject by indicating that changes to local area designations initiated by governors, needed the agreement of the appropriate chief local elected officials in order to obtain USDOL approval.

Per our letter of Feb. 15, 2012 to J. Oates, we are already on record for not being in agreement with any change to the WIA local workforce area designations made in Maine in 2000.

I cannot support such deconstruction of an effective system especially when the proposed solution centralizes control of local decision-making in Augusta. This is simply the wrong approach for Maine.

As the chief local elected official for York County, I do not support Governor Le Page's 2012 Maine State WIA Plan nor the included waiver request.

Sincerely

Sallie Chandler

York County Commissioner

Sawi Chardler

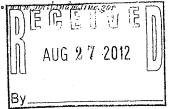


## ECHIBANIDA MAINE

Strengthening a Remarkable City, Building a Community for Life

Office of the Mayor Michael F. Brennan

August 23, 2012



In our efforts to attract new businesses and new jobs to Portland, one of the most frequently asked questions from potential employers concerns our workers: do they have the training and the skills that are needed to fill these new jobs? Without strong, well-run job training services that help prepare unemployed and displaced workers for new careers, we will be unable to attract new businesses to our city.

Coastal Counties Workforce, Inc. has been responsive to the needs of area businesses and has shown great flexibility in helping to design job-training services that match the needs of area employers. Over the last several years, CCWI has partnered with the University of Southern Maine and Southern Maine Community College to fund job-training programs that help meet critical shortages in nursing, engineering, IT, composites and other positions requiring advanced skills. These programs have had an enormous impact on our economy and on our ability to attract and retain good, well-paying jobs in Portland.

Consequently, I am writing to urge you to reject the Executive Department's request for a waiver from federal regulations. We need more time to fully understand the plan and provide input on ways to improve and strengthen the existing system instead of dismantling it altogether.

The Portland region is the economic engine of the state. CCWI provides us with valuable tools to meet the needs of our existing businesses and attract new ones. CCWI is an important partner with our local businesses, our colleges and business groups such as the Portland Regional Chamber.

The Administration has failed to adequately explain why this proven system needs to be so radically altered. I am particularly concerned that the local and regional focus of our job training efforts will be lost as the plan appears to consolidate the administration of job training funds in Augusta. Similarly, questions have been raised that the plan could risk losing millions of dollars in supplemental job training funds for the state.

Thank you for your consideration in this matter.

Sincerely,

City of Portland

#### Bass. Peaches

From: Cathy.Cole@lchcare.org

Sent: Monday, August 27, 2012 5:26 PM

To: DOL, SWIB

Subject: Public Comment re: Draft SWIB Strategic Plan

S.W.I.B.

State House Station 120 Augusta, ME 04333

To whom it may concern:

I am writing to comment on the 2012 State Workforce Investment Plan.

Over the past couple of years I have become familiar with Coastal Counties Workforce, Inc. (CCWI), A small non-profit and Local Workforce Investment Board (LWIB) in Brunswick whose staff have shown themselves to be extremely value-added in addressing workforce training issues in the six-county region of coastal counties.

In the Fall of 2009, Maine had an opportunity to write a grant to the USDOL seeking \$5 million dollars to address the workforce skills in the Health Care Sector. With only 5 days left to submit, for a variety of reasons, Maine's grant proposal was in jeopardy. It was only because Coastal Counties Workforce, Inc's staff became involved was the grant application salvaged and submitted.

A few months later Maine learned that it had been awarded the funds. This project is a statewide initiative that is benefiting all 16 Maine counties, including vast rural regions as well as the three small urban centers of Portland, Bangor, and Lewiston-Auburn. The goal is to increase the supply of credentialed health care workers in high demand occupations, specifically Certified Nursing Assistants (CNAs), skilled nurses, and key allied health professionals. Target populations include incumbent workers in a health care setting, as well as displaced and unemployed workers, who are enrolled in an health-related academic or training program that they are completing within the grant period; and incumbent workers in a health care setting, as well as displaced and unemployed workers, who are qualified candidates for CNA programs and are enrolled in Workforce Investment System health careers pathways.

Participants are receiving information, guidance and support; tuition assistance and improved access to clinical training programs and Registered Apprenticeships; and employment assistance. A total of 400 participants will achieve health care credentials. In short, this effort would not be taking place if Coastal Counties Workforce, Inc. did not share its capacity with the state.

The project builds on work being done since 2005 by the Maine's Health Workforce Forum to address Maine's health care workforce development needs in the long term.

Without such regional capacity, who is going to seek additional discretionary funds for Maine workers? The example above shows that the Maine Department of Labor benefits from the resources of the LWIBs in seeking resources such as these and implementing vital projects such as the one funded by the USDOL grant. It is a mistake to eliminate a high functioning organization such as Coastal Counties Workforce, Inc. to save a few thousand dollars. This grant effort alone is reason enough to make certain that this region does not lose the capacity that CCWI brings.

It is my hope that you reconsider the submittal of the State Plan. A more productive approach would be to work with the LWIBs and look for ways that the state can help them become even more effective.

Thank you for your consideration, Cathy Cole

8/28/2012

#### Cathy Cole

Director, Education and Community Outreach Director, BRHS School Based Health Center Lincoln County Healthcare 66A Chapman St.

Damariscotta, ME 04543 Phone: 207-563-4830 Fax: 207-563-2344

E-mail: cathy.cole@lchcare.org

From: Chuck Rohn [ChuckR@darlings.com]

**Sent:** Tuesday, August 28, 2012 9:50 AM

To: DOL, SWIB; 'jrussell@emdc.org'

Subject: Comment Regarding Proposed SWIB Plan

Maine's current workforce system, that is operated by local workforce investment boards making decisions for the businesses and individuals in their local areas, is working in the Tri County region of Penobscot, Piscataquis and Hancock counties. I do not support changes to the implementation as suggested by the Governor's proposal and feel that any structural changes would be detrimental to progress in our region and in our state.

Sincerely

Charles G Rohn

Darling's

With operations in Bangor, Brewer, Ellsworth, Augusta

# ANCHOR BOOKKEEPING & PAYROLL PC 795 MIDDLE STREET BATH ME 04530

Dear Mr. Webber:

This letter is to provide comments on behalf of Coastal Counties Workforce, Inc. (CCWI) regarding the State of Maine's Workforce Investment Act (WIA) Plan and Waiver Request. As I understand this Plan, it will eliminate all 4 Local Workforce Investment Boards in Maine. My firm has only worked with CCWI, so I will confine my remarks to them.

Anchor has provided financial management and accounting services to CCWI for nearly a decade. In that time period, CCWI has brought in several million dollars beyond its annual WIA formula allocation. The WIA and additional grants require a high level of financial management expertise and competence.

My firm has participated in the multiplicity of state and federal monitoring exercises that CCWI has undergone. CCWI has been found to have strong and appropriate financial controls throughout this period. And when on occasion there have been recommendations to improve its financial management procedures, CCWI has also implemented those recommendations immediately. In fact, when Anchor has accompanied CCWI to US DOL training events, we have often been called upon to share our practices and procedures with the larger trainee group.

CCWI represents the type of accountability and transparency so often sought in government contractors in these times. I am puzzled by the WIA Plan's proposal to eliminate a responsible and exemplary partner. I hope the Plan will be revised.

Richard A. Chabot

Anchor Bookkeeping and Payroll, PC

Richard Allalot

Training Director 207-621-0555 Office 207-622-0365 Fax

Jenlocal716@gmail.com

#### **UA Local 716**





#### Good Day,

As an active member of organized labor, I am writing to express my concern about the proposed elimination of the Local Workforce investment Boards (LWIBs) in the 2012 Workforce Investment Act (WIA) State Plan. WIA serves a wide range of people from the unemployed to employed workers needing skilled upgrades.

Through its efforts, discretionary grants have been obtained that provided timely and vital services to hundreds of dislocated workers as the industries employing them have downsized and they needed new skills to be employable in alternative industries. The dislocated workers program alone has served 10,000 participants in the past ten years which has meant that all of those individuals continue to play an active role as workers, community members and taxpayers. Over half the funds used to serve those workers were brought in to the region because CCWI actively pursued additional training dollars. Yet the State Plan says it is eliminating the LWIBs in order to increase training funds. How can eliminating an organization that aggressively pursues resources for our region and workers be the best strategy?

CCWI has also consistently invested its time and talents in grant writing efforts for the region. In the past five years alone, it has brought in over \$19 million of additional job training funds. This represents two grant dollars for every WIA formula dollar that the region has received through its federal allocation. Again, how can the State plan consider the removal of this capability a benefit to this region?

In order to garner these funds, CCWI has had to work effectively with local businesses, educational institutions, and community organizations, including the Chambers. Removing an effective, innovative player like CCWI from the region while workers and businesses are still struggling to find success in a volatile economy just doesn't make sense. Please reconsider the proposal to eliminate the LWIBs and instead work with them to find ways to bring more needed resources to the region and the State.

Sincerely,

Jennifer McKenna

Training Director Local 716 JATC

From: SEJOY@aol.com

**Sent:** Tuesday, August 28, 2012 2:56 PM

To: DOL, SWIB

Subject: Comments on WIB changes

Dear Sir/Ms:

I am a county commissioner in Hancock County and live in Ellsworth. I am trying to get several issues answered and if anyone at the state house could help to enlighten me about the new proposal for the 8 regional boards made up of Chamber of Commerce members I would appreciate it. My questions are:

Did anyone who was looking for services get turned away from any of the Workforce Investment Boards, or from the entities that provide services for them?

Are any of the Chambers of Commerce set up to handle the retraining of displaced workers?

Will the Chambers just be pass through's for funds, or will they offer services?

I ask these questions because I know the Ellsworth Chamber of Commerce is not set up to do retraining or provide other workplace services. If they are to provide those functions then they will have to add staff, although I do not believe that it is presently their mission to provide these services, I am sure they will if funds are provided. If they add staff then I think "The powers that be" will want funds to pay a proportionate share of heat, lights, equipment, the mortgage, etc. It seems we will be going backward with us having 8 sites instead of the 4 we have now. It will also not be any cheaper to administer.

If this is just a way to funnel funds to cash strapped Chambers of Commerce I understand it though I am not convinced that in a few years we will not have the same funds going to administration as we do now.

I am also still trying to get a proposed budget for this new venture. If you want me to comment on the merits it seems we should be able to see how the budget and administration of this new entity will function and be paid for. If there is a web site with this information I would appreciate the address.

Who will decide what Chamber's of Commerce are selected? Will it just be the larger city Chambers or will there be some large and some small Chambers selected? If you select a small Chamber will it be forwarded funds for building an entity, including staff and space to provide workplace services?

Other than the present high administrative costs for the WIB's, are there other problems with the present system? Are there ways to make a hybrid system combining both ideas? I am not against the idea because I don't like change, I am just in favor of change when it makes something better by providing better services at a reduced cost. This change may cost less today, but be just as expensive in the future.

Steven E. Joy

From: Sanford Chamber [ricks@metrocast.net]

**Sent:** Tuesday, August 28, 2012 3:17 PM

To: DOL, SWIB

Subject: WIA Strategic Plan

Local Chambers of Commerce have long been the eyes and ears for the business community. By legitimizing the chambers role in the new workforce development plan, the state can leverage the chambers resources to expand the private sectors participation in workforce development.

Richard L. Stanley

Sanford Springvale Chamber of Commerce

From:

Sally Sutton [ssutton2@maine.rr.com]

Sent:

Tuesday, August 28, 2012 4:45 PM

To:

DOL, SWIB

Cc:

Bass, Peaches

Subject:

Comments on Draft WIA Plan

Attachments: SWIB comments 8-28-12.doc

State Workforce Investment Board State House Station 120 Augusta, Maine 04333

RE: Comments on the 2012 Draft WIA State Plan

Dear State Workforce Investment Board;

I am writing to provide my comments on the 2012 Draft WIA State Plan. Currently I provide staff support to the Maine Health Workforce Forum, and the comments I offer relate to the Forum and its activities, but I am not taking a position on the Draft Plan, I am not speaking for the Forum and given the range of interests and different types of Forum members, the Forum itself is not taking a position on the Draft WIA Plan.

The Maine Health Workforce Forum has been operating as an effective industry partnership for several years. A major accomplishment that can be attributed to the Forum is the state securing the \$4.9 million health care sector grant as a result of the networking, coordination and planning activities of the Forum. So, from the perspective of an industry partnership, one concern I have is that there should be greater clarification about how the industry partnerships would function and relate to the SWIB and other workforce development partners, such as is spelled out in the December 2011 report prepared by the Manufacturer's Association of Maine, *Maine's Industry Partnership/Sector Strategy*, <a href="http://www.maine.gov/labor/mjc/documents/MaineMIPI.pdf">http://www.maine.gov/labor/mjc/documents/MaineMIPI.pdf</a>.

My second comment relates to the data needs we are currently facing within the health care industry, and a concern that if the system is to be data driven, there is a need for access to information about health professionals that is no longer being collected through the Office of Data Research and Vital Statistics and appears to only be available through the health professional licensing boards. This data is critical for predicting supply and demand and also determining the educational capacity within the state to meet the state's health workforce needs. The Forum's own Strategic Plan and the WIA Draft Plan both acknowledge the critical need for accurate data. It is important that the State invest in data collection and developing analytic capacity if it is to have the information it needs for an effective workforce system.

Thank you for your consideration of my comments.

Sincerely,
Sally Sutton
Project Director
Maine Health Workforce Forum

#### Lockwood, Carolyn R

From:

Dibner, Eric

Sent:

Monday, August 20, 2012 10:34 AM

To:

Lockwood, Carolyn R

Cc: Subject: Hopkins, Betsy; Stone-Sterling, Libby FW: Public Comment WIA State Strategic Plan

Carolyn,

I am sending my comments through the Bureau and hope you will transmit them to <a href="mailto:SWIB.dol@maine.gov">SWIB.dol@maine.gov</a>.

I am concerned about how the 2012 Draft WIA State Plan incorporates concepts about participation by persons with disabilities. Customers who have disabilities are mentioned in specific parts of the Plan, but the Plan could give a stronger picture of their integration throughout all WIA programs.

On page 51 (as numbered in the document), the bulleted list – Shouldn't vocational rehabilitation services be mentioned as a CareerCenter service?

On page 66, second paragraph – Here, individuals with disabilities are a target population to be recruited for services. Disability is listed among other target groups, but something more than a "special" effort is needed: *throughout* the plan it should say more about integration of persons with disabilities. A difference between this group and the others is that, to break down physical, communication, and social barriers, people with disabilities (*and the laws protecting them*) require an integrated approach.

Page 68 ("specific program design elements") might be a place to say, "CareerCenter services are designed for full accessibility for persons with disabilities; software and hardware accommodations are in place and will be maintained/upgraded for universal design in the Information Centers."

On pages 70-71, persons with severe disabilities are identified among populations that face barriers to employment. The Plan should recognize this population's barriers are endemic and warrant broad-based attention. At the top of page 71, following intervention strategies, would be a good place to say something like, "In order to ensure all WIA programs serve people with disabilities, CareerCenter staff will participate in training programs about disability rights and issues. Staff will ensure communications and events are accessible, with proper notice about available accommodations. Additionally, staff promotes accessibility and integration with employers, employment agencies and labor networks." Augment with specifics.

In the eighteen pages (71-89) that describe programs for veterans, migrant workers, mature workers, low income and disadvantaged adults, youth and young adults, single parents and displaced homemakers, people with limited English proficiency, and criminal offenders, many programs are described. But except where one reads on pages 87-88 about disability-targeted programs, there is no mention of disability. Each of the areas should recognize the particular ways that disability affects those populations, as it does. The Plan should recognize the disability factor for these specific groups and explain services that are relevant. On page 88, should the section on parents and homemakers mention services of DBVI for such folks? Page 89 should describe the efforts of the CareerCenter system and BRS to ensure accessibility for people who are Deaf. And for criminal offenders, the relationship of DVR to this group should be mentioned.

Page 87 indicates that BRS is "housed within" the CareerCenters and helps leverage resources. However, this is somewhat vague; I would like to know more how the leveraging works. And isn't BRS a full partner within the CareerCenter system, not just an agency housed under the same roof? The relationship of BRS as part of the system could be elaborated more fully and shown to be more robust.

On page 88, what will the Asset Development Coalitions do?

On page 118, the identical answers to #39 and #40 should be revised to be more accurate. Question 39 asks about a designee in each office re services for people with disabilities. Answer: "DEI and DPN are being implemented in CareerCenters through a grant. Each CareerCenter has an assigned Disability Resource Coordinator."

Question 40 asks about the relationship of DVR and MDOL. Answer: "MDOL is the parent agency of the Bureau of Rehabilitation Services. VR counselors assigned to each local employment office work cooperatively with Wagner-Peyser services."

Finally, in MDOL, the office of State ADA Accessibility Coordinator (which is housed in the Department) works closely with staff to ensure accessible programmatic service delivery, providing technical assistance on questions about accommodation and policy. Inserting information about the ADA Coordinator in a few places would strengthen the Plan.

We sometimes question the amount of attention afforded to persons with disabilities in the everyday thinking and work of CareerCenter staff, the tendency to treat them as outside the mainstream of CareerCenter services. So, seeing the Plan's lack of integration and consideration for the population with disabilities *in every aspect of service delivery* is an issue. The Plan as drafted may paint an accurate portrait, but it looks a little like BRS is an orphan program tagged onto MDOL, rather than a full part of the leadership and field services. The behavior of staff will reflect the set-up in the Plan, so the Plan set-up should espouse the vision we want.

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Eric

### STATE OF MAINE COUNTY OF PENOBSCOT COURT OF COUNTY COMMISSIONERS

PETER K. BALDACCI THOMAS J. DAVIS STEPHEN S. STANLEY

William Colfins, County Administrator



BANGOR, MAINE (207) 942-8535

COURTHOUSE
97 Hammond Street – Bangor, Maine 04401-4998

August 28, 2012

State Workforce Investment Board SHS 120 Augusta ME., 04333

To Whom It May Concern:

As the Commissioners for Penobscot County we are formally submitting our opposition to the State Workforce Investment Board's (SWIB) five year strategic plan recently posted online on August 17, 2012. We remain in support of the current structure as it has existed since the year 2000.

Further in November 2011 the chief local elected officials for the Workforce Investment Act responsible for the tri county region drafted a resolution and later sent it to Jane Oates, Deputy Secretary for the United States Department of Labor. The resolution stated, "The chief local elected officials in Local area Two support the current legal designation of the four local areas in Maine that was agreed to in the year 2000 through a collaborative process among Maine's County Commissioner, the Maine Jobs Council and the Governor and recognized by the United States Department of Labor and we do not support any attempt at re-designation."

Specifically, the existing model works well for Penobscot County businesses and job seekers. The current system delivered by the Tri-County Workforce Board and the Eastern Maine Development Corporation has demonstrated an increase in performance outcomes with job placements and outreach to our businesses and industry. Such as:

- Maintaining a full time office in Millinocket to provide direct services to an area that had been severely impacted by restructuring of the economy with plant closings and job losses.
- Screening over 900 applicants for job vacancies at for the new owner of the paper mill.
- Since 2009 under the new model the tri county region has averaged significant gains in our WIA program outcomes including increasing the number of served (25% higher);

higher number of persons placed in employment (32% higher) and improving average wages at placement (13% higher).

Last year the Tri-County Workforce Investment Board and EMDC's workforce programs, including WIA and our National Emergency Grant in East Millinocket, served 736 Penobscot county residents; placing 344 back into employment at an average wage of \$14.98 per hour. These results are clear evidence that the current system of local control and delivery of vital workforce services is working well and should be maintained.

As County Commissioners we are very much engaged with economic and workforce development. We support local policy making and focus investments which result in better opportunities for economic growth for our region.

On this 28<sup>th</sup> day of August 2012 the Penobscot County Commissioners remain in agreement with the CLEO's resolution stated above and we do not support the SWIB's proposal to dissolve the local workforce investment boards.

Sincerely.

Commissioner Peter Baldacci represents District 1

Commissioner Thomas Davis represents District 2

Steph I Heats

Commissioner Stephen Stanley represents District 3



August 28, 2012

#### To Whom It May Concern:

This letter is in response to the Governor's 2012 Workforce Investment Act Strategic Plan. I am a long time Human Resources professional and have collaborated with Coastal Counties Workforce, Inc. for several years to address the employment and training needs of employers and employees throughout the state. While I appreciate the Governor's intention to focus more on employers, and dedicate more federal resource to workforce training, I am concerned about how the Plan will directly benefit me and other local businesses within the confines of a fairly restrictive piece of federal legislation.

My understanding is that there are certain federal restrictions within the Workforce Investment Act which are beyond the control of state or local policymakers. For instance, the WIA program cannot serve incumbent workers which does little to help businesses who may not be currently hiring but who desperately need to upgrade the skills of their CURRENT workforce to remain competitive and thrive. In 1996, the State of Maine created the Governor's Training Initiative (GTI) to supplement the WIA workforce system so that employers could have this important training need met. Maine served thousands of incumbent workers annually up until the program was eliminated by the current State administration.

At the end of the day, whether the governor's proposal for workforce system restructuring is approved or not, the resources to effectively serve employer needs, specifically their incumbent workers training needs will still not exist in Maine. If the State of Maine provided needed resources to supplement WIA, this incumbent worker need could once again be met.

Dismantling the current workforce system does nothing to address incumbent worker training that Maine businesses like mine desperately need assistance with.

Thank you for your time and consideration.

Sincerely

Dagmar Decker

President, Riverside Home, LLC

10 Brooklyn Heights Thomaston, ME 04861

207 257 6665

From: Jeanie [sunflower18@roadrunner.com]

Sent: Wednesday, August 29, 2012 10:43 AM

To: DOL, SWIB

Subject: My response to the Workforce Investment Act Strategic Plan 2012-2016



Good morning,

The Workforce Investment Act Strategic Plan 2012-2016 looks good.

However, on page 14, in the beginning of the second paragraph under **Service to Targeted Populations**, where it states "Maine will pay particular attention to older workers, veterans, low and moderate income individuals (LMIs), and youth," there is no mention of individuals with disabilities.

I find it very problematic, that individuals with disabilities has not been mentioned here. People with disabilities happen to be among those who have the highest unemployment rate out of the total number of people who are unemployed, including right here in Maine. But apparently the Workforce Investment Act Strategic Plan doesn't list individuals with disabilities as a group the state "...will pay particular attention to..."

This is NOT 'okay.' It is also NOT 'okay' for it to be presumed by the State of Maine that people with disabilities 'are already taken care of with various programs, so the state doesn't need to mention them here along with older workers, veterans, low and moderate income individuals, and youth.

Therefore, I strongly recommend that "individuals with disabilities" be added to rest of the groups mentioned here at beginning of the second paragaph, page 14, under Service to Targeted Populations.

Jean S. Coltart Member, Governor's Commission on Disability and Employment 127 Academy Road Monmouth, ME 04259



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From: Chris Trider [chris@ibew1253.org]

Sent: Wednesday, August 29, 2012 1:48 PM

To: DOL, SWIB

Subject: WIA Plan comment

I am writing to comment on the 2012 Workforce Investment Act (WIA) State Plan.

As an organized labor representative and member of the Coastal Counties Workforce Inc. (CCWI) Board, I have seen first-hand the good work that is being done in the CCWI Local Area. The numbers of Maine workers who are receiving training and obtaining jobs is certainly impressive. The incredible transition at the Brunswick Naval Air Station is one small example of this LWIB's work. From my perspective, the use of funds has been appropriate and effective. Yet the State Plan indicates that a lack of cost-effectiveness is a reason to eliminate the Local Workforce Investment Boards.

Although no one could or should argue against the importance of cost-effectiveness in administering state or federal taxpayer dollars, when analyzing program and system effectiveness, capacity must be taken into account. The State plan's intention to "dramatically decrease the WIA administrative dollars used to support the four LWIBs and apply those saved dollars to training assistance to participants" (page 37) sounds good on the surface, but is ill advised. This approach destroys the regional capacity to align and seek other resources and provide necessary accountability. For instance, CCWI has sought and obtained \$19 million of additional job training funds in the past five years. Does it make sense to eliminate this capacity to "save" \$250,000 annually? The answer is a resounding "no".

And though I agree that additional funds should be added to the participant training pool, I disagree with the method of generating those funds. Savings could also be achieved through the consolidation of service providers as CCWI undertook several years ago by transitioning from three local service providers to one. Through this consolidation, CCWI raised its direct training percentage from 20 to 36% annually. Undertaking this type of action statewide could increase training funds far more extensively than through the reallocation the 10% administrative dollars for the LWIBs.

WIA is critical for rendering services to Maine's unemployed and underemployed residents. Ensuring appropriate administrative controls is crucial. The State's Plan to limit administrative costs, i.e. reduce the amount of WIA Administrative funds below 10%, is fool hardy. WIA provides a long list of critical administrative tasks that must be undertaken including: accounting and budgeting; financial and cash management; procurement and purchasing; property management; payroll and personnel management; general oversight, audit and coordinating the resolution of findings from audits, reviews, investigations and incident reports; developing and implementing systems and procedures, including information systems and grievance procedures.

To ensure all these requirements are met, the administrative funding provided by WIA must not be compromised. In order for a State to avoid sanctions and auditing problems, staffing resources are necessary. To assume that the LWIBs can be eliminated without the State requiring any additional resources to provide the extensive administrative oversight required and needed to manage WIA puts the WIA funds at risk.

I would hope that the current version of the State plan be revised and that the State engages the LWIBs in a constructive dialogue to achieve its stated goals around WIA efficiencies and increased training funds.

Sincerely,

Chris Trider
CCWI Board Member and IBEW Training Coordinator

From:

Mary Ellen Barnes [mbarnes@lcrpc.org]

Sent:

Wednesday, August 29, 2012 2:28 PM

To:

DOL, SWIB

Subject:

Comment on SWI Draft Plan

Attachments: Comment letter State WF Invest Act Strat Draft Plan.pdf

Hello:

I appreciate the opportunity to review and comment on the Strategic Draft Plan for 2012-2016. Please accept the attached letter.

Regards,

Mary Ellen Barnes

Director, Economic & Community Development
Lincoln County Regional Planning Commission
35 Water Street
P. O. Box 268
Wiscasset, ME 04578
207-882-5188
mbarnes@lcrpc.org
www.lcrpc.org

35 Water Street • PO Box 268 • Wiscasset, Maine • 04578-0268

August 29, 2012

State Workforce Investment Board State House Station 120 Augusta, ME 04333

Dear State Workforce Investment Board,

As economic development director for Lincoln County, I understand the critical importance of job training and workforce development. These are key to preparing Maine's workforce for the jobs that are available now and in the near future. Although the State's unemployment remains high, many jobs go unfilled because employers cannot find workers who have the right skills and training for the positions that are available. In Lincoln County, we are particularly aware of how important training services are to our small businesses, and to our efforts to plan for both an older workforce and to attract new entrepreneurs and young familes.

Coastal Counties Workforce, Inc., of which I am a board member, has strived to work with area businesses to match regional job training services with the skills required for job openings. We've listened to local employers and worked with area Chambers of Commerce and community colleges to develop training services so that unemployed and displaced workers can transition quickly into available jobs, including nursing, IT, composites, engineering and advanced manufacturing. Working closely with the private sector, CCWI has achieved a record of success. There is no question that new jobs, and more job opportunities, exist in our region because of this organization's proactive leadership, economic development programs, and community partnerships. Due to the skills, experiences, and communications at CCWI and within the Board, my relationship with direct service providers, which benefits our local employers trying to recruit skilled workers, has been strengthened.

I was surprised to learn that Governor LePage has proposed a plan to greatly change the way federal job training funds are administered in Maine, including the elimination of Local Workforce Investment Boards such as CCWI. Even more confusing were public comments that the changes are needed in order to forge better relationships with local businesses and employers, to give them "a seat at the table." The CCWI Board -- to me -- is very diversified, with local and regional businesses and Chamber representatives sitting side by side with career counselors, community college educators, and vocational and aging worker specialists, and training providers.

This is a partnership, a system or network — whatever it's called — that works, with business and public groups together investing time to plan and support job-training programs that match the skills of existing and prospective jobs. As far as I know, neither the Governor nor his staff consulted with the dedicated and skilled professionals who have worked for years with businesses and job seekers on a daily basis, nor with local and regional partners who contribute their expertise and input to this critical issue. If this is correct, I believe the proposed plan is based on erroneous information, especially in the Coastal Counties region. Rather than strengthen relationships between job training programs and local businesses, this draft plan threatens to disrupt and bring to a stop cooperative relationships that were

built on straightforward communications, cost-efficiency, and ultimately – effectiveness in the workplace. I would here note omissions in the draft plan about the educational capacity in the Mid-coast – Central Maine Community College provides health care education and training in Damariscotta and is the designated non-degree business education and training community college for Lincoln County. Our organization works with both CMCC and SMCC. Also, the Women's Business Center and Adult Education Programs provide several business education and training workshops throughout the year in our communities.

I do have grave concerns that the draft SWIB plan will eliminate local and regional control over federal job training funds and instead make Maine a single delivery state. This makes a real difference in terms of providing these services -- Maine is a large state with a diverse and changing employment base. With a successful effort here on the coast, I'm worried that a "one-size-fits-all" strategy for administering job-training dollars will not work. In addition, I don't believe the State or local Chambers have the knowledge or resources to enable them to apply for and acquire highly competitive federal grants that bring millions of dollars to Maine each year to supplement the federal job training funds allocated by Congress. This means that far fewer job-training dollars and services will be available, increasing the shortage of badly-needed skilled workers. I work with the very hard-working part-time staff or volunteer leadership of the Chambers and business associations (with one exception, Lincoln County Chambers and business groups do not have full-time or paid staff). The professionals and dedicated volunteer business leadership I know will be challenged to add new responsibilities to their already busy year-round work. In this way, the Chamber model proposed in the draft may not work in rural areas and may not provide real, on-the-ground coverage that is proposed – which CCWI does now due to its governance structure and collaborative partnerships.

At this point, I urge that the Draft Plan for 2012-2016 and the Administration's request for a waiver which would break up the current LWIB system be rejected. Having said this, however, I recommend that CCWI and other LWI boards work with the Administration to improve and strengthen the existing, effective programs. I feel that CCWI would especially welcome an opportunity to show the Governor how existing relationships and job-training services are working to improve job prospects for people in Lincoln County, for thousands of people in this region, and to assist the growth and success of our small businesses.

Thank you for your consideration of my comments and suggestions.

Sincerely,

Mary Ellen Barnes Economic and Community

Mary Elen Barner

Development Director

**CCWI Board Member** 



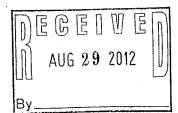
#### Paul E. Gilbert

P. O. Box 186 Jay, ME 04239 Residence: (207) 897-5143 State House E-Mail: RepPaul.Gilbert@legislature.maine.gov

#### HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION AUGUSTA, MAINE 04333-0002

(207) 287-1400 TTY: (207) 287-4469



August 28, 2012

Mr. Fred Webber, SWIB Chair State Workforce Investment Board State House Station 120 Augusta, Maine 04333

Dear Mr. Webber:

I am writing to strongly oppose Maine Gov. Paul LePage's proposal to reorganize how federal job training funds are administered in Maine, and reject his request for a waiver from federal regulations. I believe there is a misunderstanding of good use of WIA funds in Maine's current administration.

During my career as a Job Service Manager II for the Maine Department of Labor, I was a charter member of Maine's Central-Western LWIB. I filled one of the 2 designated Labor positions on that board right thru my retirement in 2003 and beyond. In the beginning, stakeholders chose not to establish one statewide WIB but opted for 5 regional LWIBs. This was due to the diversity of employer needs and required work skills in different areas of the state. It was later decided that 4 LWIBs would work better and the number was subsequently reduced. I believe that the 4 LWIBs continue to be better than one statewide WIB as the diversity of the state's regions still is a major factor. Now we come to funding.

WIA funds are used for training workers as well as providing essential needs to service customers, employer and job seeker. Maine CareerCenters locations are leased by the Maine Department of Labor. However, responsibility for lease and other associated costs fall to CareerCenter partners based on the total square footage of office space occupied by each partner agency. WIA, having the most workers, pays the bulk of the overhead in Maine CareerCenters. Other costs to factor in are the cost of services provided to customers who may never qualify for WIA services. These costs are the result of services provided at the reception desk, in the Information Center or testing and employment associated workshops. Therefore, a successful effort, funded partially by WIA and resulting in employment cannot be recorded as a success for WIA even though its funds provided the resources necessary for that success. These funds are important to the success of customers, the total operation of WIA and the overall services provided by the Maine CareerCenters.

If the state's job training programs need fundamental changes, then all the stakeholders should gather together again and jointly decide on a plan to strengthen and improve the current system. Instead, we are being handed a plan that is predicated on erroneous information and had no input from those groups and individuals who will be most affected by the governor's drastic changes.

Furthermore, it is clear that the governor's plan will jeopardize the allocation of millions of dollars of federal job training grants at a time when our economy is still struggling and when retraining our workforce is a high priority. Now is not the time to gamble on wholesale changes when the facts show our existing delivery system for federal job training funds has a proven track record of success.

Please don't put these funds, and the hundreds of out-of-work Mainers who badly need them, at risk. The governor's plan is not the direction we need to go, and I urge you to reject his request for a waiver from federal regulations.

Thank you,

Paul Gilbert

State Representative, District 87

Paul Gilbert

CC: Coastal Counties Workforce, Inc.



Timothy E. Driscoll

111 Monroe Avenue
Westbrook, ME 04092
Residence: (207) 856-7014
Business: (207) 879-3265
Cell Phone: (207) 232-5026
E-Mail: tdrisco1@maine.rr.com
State House E-Mail:
RepTimothy.Driscoll@legislature.maine.gov

August 28, 2012

Mr. Fred Webber, SWIB Chair State Workforce Investment Board State House Station 120 Augusta, Maine 04333

Dear Mr. Webber:

At a time when unemployment remains above eight percent and thousands of Mainers lack the skills for the jobs of the future, Gov. Paul LePage is preparing to radically alter the successful and proven method of administering federal job training funds in the state. He has offered no reasonable justification for his proposal.

More important, his plan removes local control over the allocation of federal job training funds, and threatens the loss of millions of dollars in grants and supplemental funds for badly needed job training services.

Now is not the time to be gambling with these essential job-training dollars. The current method of administering job-training funds, as outlined in federal law, is working. Thousands of unemployed and displaced workers have found good paying jobs with Maine employers due to the work of the Local Workforce Investment Boards, which have the support of local employers and businesses.

For these reasons, I urge you to reject the governor's request for a waiver from federal rules regarding the administration of federal job training funds. Wholesale changes in the current, proven system are unnecessary. If anything, we need to strengthen rather than upend the existing system.

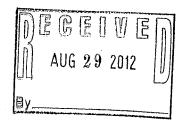
Sincerely,

Tim Driscoll, State Representative, District 126

CC: Coastal Counties Workforce, Inc.

2 STATE HOUSE STATION AUGUSTA, MAINE 04333-0002

(207) 287-1400 TTY: (207) 287-4469







August 27, 2012

To Whom it May concern:

I am writing to provide comment on Governor Le Page's 2012 State Workforce Plan and Waiver Request. Should the Plan and Waiver be approved, Coastal Counties Workforce, Inc. will no longer be considered a fiscal agent for the Workforce Investment Act funds received on behalf of the county commissioners of York, Cumberland, Sagadahoc, Lincoln, Knox, and Waldo.

RHR Smith has had significant experience conducting WIA fiscal monitoring and auditing of a variety of fiscal agents in Maine since the passage of WIA in the late 1990's.

In the case of audit preparation, our responsibility has been to express an opinion on financial statements based on our audit. Specifically with respect to Coastal Counties Workforce, Inc. our audits were conducted for the purpose of forming an opinion on the agency financial statements taken as a whole.

CCWI has obtained <u>significant</u> financial resources beyond the annual formula allocation requiring the organization to further develop its capacity and sophistication in indirect cost rate proposal development and other aspects of fiscal management.

Frankly with CCWI's permission, we have used products developed by CCWI as items of "best practice", to assist other clients in their financial duties. I am also aware that USDOL has also used CCWI's financial manual for a similar purpose.

We have audited the statements of financial position of Coastal Counties Workforce, Inc., for over ten years and can honestly say that Coastal Counties Workforce, Inc. stands out in Maine as an agency with significant technical expertise and an excellent grasp of A-133 and WIA regulations.

We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial position of Coastal Counties Workforce, Inc., during the past ten years has been in conformity with accounting principles generally accepted in the United States of America and is fairly presented in all material respects in relation to the financial statements taken as a whole.

For these reasons, we believe it would be a loss in Maine's small WIA community to dismantle a competent fiscal agent such as Coastal Counties Workforce, Inc.

RHRSmith & Company

RHS Smith & Company Certified Public Accountants

From:

Scott Cuddy [cuddy.scott@gmail.com]

Sent:

Thursday, August 30, 2012 8:15 AM

To:

DOL, SWIB

Cc:

jrussell@emdc.org

Subject:

Comments on 2012 Workforce Investment Act Strategic Plan Draft

Attachments: 2012.08.30commentsFINAL.pdf

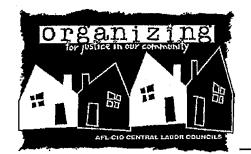
To whom it may concern:

Attached please find my comments on the 2012 Workforce Investment Act Strategic Plan Draft.

Thank-you for your time,

#### **Scott Cuddy**

Treasurer, Eastern Maine Labor Council



#### Eastern Maine Labor Council, AFL-CIO

20 Ivers Street, Brewer, ME 04412 (207) 989-4141 • www.gback.org

President: Jack McKay, UNITEHERE 486
Vice-President: Emery Deabay, USW 1188
Treasurer: Scott Cuddy, IBEW 1253; Secretary: Bob Toole, IBEW 1837
Trustees: John Curtis, NALC 391; Linda Fairbrother, USW 1188
Steve Husson, IBT 340; Troy Richardson, IBT 340

#### Affiliated Unions:

American Fed. of Govt. Empt. (AFGE) - Local 948, 2635

American Fed. of State, Cty and Munic. Empl. (AFSCME) - Locals 926 & 1825

American Federation of Teachers Locals 5093 (Bangor), 5071 (Penobscot Valley), and 5073 (Downeast)

American Postal Workers Union (APWU) - Local 536 (Bangor), APWU of Maine (Rural Areas)

Communication Workers of America (CWA) - Local 446, 1400

Eastern Maine Retirees of Maine State Empl. Assoc. (MSEA) Local 1989

Graphics Communications Intl. Union (GCIU) - Local 558

Intl. Assoc. of Fire Fighters (IAFF) -Locals 772 (Bangor), 2162 (Brewer)

Intl. Assoc. of Machinists & Aerospace Workers (IAMAW) -Local 1821 & S6

Intl. Brotherhood of Electrical Workers (IBEW) - Locals 567, 1253, 1777, 1837 & 2327

International Brotherhood of Teamsters. - Local 340

International Union of Painters and Allied Trades, District Council 35

Inil. Union of Operating Engineers (IUOE) - Local 4

Ironworkers Local 496

Laborers International Union of America Local 327

Maine State Employees Association-Service Employees Intl. Union (MSEA-SEIU) Local 1989

Maine State Nuises Association-Unit #1, CNA-NNOC

Office Professional Employees Intl. Union (OPEIU) Local 555 and 277

National Association of Letter Carriers (NALC) Local 391

United States Steelworkers (USW) Locals 80, 261 and Local 1188

PTLA Attorneys Union, UAW

Roofers & Waterproofers Local 33

United Association of Plumbers & Pipefitters (UAPP) - Local 716

United Food And Commercial Workers Union Local 1445

UNITEHERE-Local 486

UTU local 663

Writers Union (UAW) Local 1981

August 24, 2012

State Workforce Investment Board SHS 120 Augusta ME., 04333

To Whom It May Concern:

The following is public comment related to the Maine State Workforce Investment Board's (SWIBs) 2012 Workforce Investment Act (WIA) State Plan.

As a member of the Tri County Workforce Investment Board (TCWIB) I represent organized labor in local area two which oversees workforce policies, financial management and program implementation in Penobscot, Piscataquis and Hancock Counties. As a member of the local workforce board I have been afforded the opportunity to work side by side with people who I know and see on a regular basis. Together we review our service provider's (Eastern Maine Development Corporation) performance outcomes and decide on how to address the needs of our job seekers and businesses.

I have two concerns with the new plan: one, how will I be able to have input into this region's workforce system in areas concerning policy, financial management and program implementation, and two, nowhere in the state plan do I see commitment to allocating funds equitably across the sixteen counties. In fact there is no mention about how the SWIB and/or the Governor will make specific financial decisions or how job seekers in the smaller rural areas will be served?

As a new member of the TCWIB I followed a colleague who sat on the TCWIB finance committee and was able to ask specific questions which impacted the services and resources allocated to our local area. If the state plan is approved, how do I participate in monitoring the workforce system in my area? How do I directly serve my local residences and job seekers?

Eastern Maine Development Corporation (EMDC) serves as the provider of WIA resources and services in our local area. They have done a great job in working with our partners and local stakeholders to break down silos and engage labor organizations into projects like the recent Pathways Construction program. The Pathways project brought in \$2.1 million dollars to local area two and required strong investment and linkage between local partners and organized labor. Due to the successful regional collaboration and partnership the Plumbers and Pipefitters Local Union 716 and IBEW Local Union 1253 were able to add value to job training in our region. I can further comment on the success of the Pathways program as someone who has seen the trained workers put into action. Several members of the Pathways program sought and were granted membership in IBEW L.U. 1253's apprenticeship program and are putting their skills to work in the electrical construction field. Those same Pathway's graduates have also donated time, through IBEW L.U. 1253, volunteering with Habitat for Humanity, creating more value for the local community with the skills they acquired because of locally directed WIA funds.

The TCWIB's directive to EMDC, and our primary goal, is to connect our work ready job seekers to good job opportunities. In 2009 the board made the decision to align economic development and workforce development with the express goal to impact



#### Eastern Maine Labor Council, AFL-CIO

20 Ivers Street, Brewer, ME 04412 (207) 989-4141 \* www.gbaclc.org

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American Postal Workers Union (APWU) - Local 536 (Bangor), APWU of Maine (Rural Areas)

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United Food And Commercial Workers Union Local 1445

UNITEHERE- Local 486

UTU local 663

Writers Union (UAW) Local 1981

business growth in tandem with creating relevant job training opportunities. This was done to better meet the needs of job seekers by more fully engaging our local businesses. The TCWIB's decision taken three years ago to significantly restructure the delivery of WIA services has paid dividends in higher enrollment levels, increased job placements, and higher average wages. When looking at the 3 year average (PY06-PY08) under the old model compared to the last 3-year under the new model (PY09-PY11), we have achieved significant gains in total persons served (25% higher); higher number of persons placed in employment (32% higher) and a higher average wage at placement (13% higher). These results clearly show that the oversight of the TCWIB is working and should be allowed to continue.

The TCWIB has also been engaged in industry focused workforce development and we have supported EMDC's work in creating projects that keep business at the development table through the Mobilize Eastern Maine initiative. We have launched industry-sector training projects in health care, hospitality, and construction and are currently in the process of creating a project focused on the Retail Sector engaging local employers for the fall 2012. The TCWIB has been at the table the entire time effectively performing the role and responsibilities envisioned for these regional bodies in the WIA law. The Governor's plan may effectively eliminate these projects and plans which have been developed at a local level will have an adverse effect on the involvement of individuals and groups that are now fully engaged in building strategies and services for job seekers and businesses alike.

I oppose any request made to re-designate the local areas in Maine and further encourage the United States Department of Labor's Employment and Training Administration to deny the SWIB's request to remove the TCWIB's authority regarding workforce activities.

Thank you for your time and consideration.

Sincerely,

Scott Cuddy

Eastern Maine Labor Council

Director of Business Development, IBEW L.U. 1253

From:

Bob Schmidt [BSchmidt@llbean.com]

Sent:

Thursday, August 30, 2012 9:12 AM

To:

DOL, SWIB

Subject:

**Public Comment** 

- ----, - - - -

Attachments: State Plan Waiver Comments\_LLBean 8.29.12.docx

To whom this may concern,

I have attached a copy of the letter I mailed in response to the State Workforce Investment Act Strategic Draft Plan 2012 -2016 and the call for public comment in the period ending 9/2/2012. I mailed this letter yesterday and am emailing to ensure my comments are received within the designed comment time. Please do not hesitate to contact me if you have any questions.

Sincerely,

Robert E. Schmidt/Human Resource Business Lead L.L.Bean Inc./ 15 Casco Street/Freeport ME 04033 207.552.7154/bschmidt@llbean.com



August 29, 2012

S.W.I.B State House Station 120 Augusta, ME 04333

I am the Chair of the Coastal Counties Workforce Board and the Human Resources Manager for L.L. Bean. I am concerned that Governor LePage's plan to dismantle Maine's Local Workforce Investment Board system will not be as cost effective for the State as the Governor is proposing and will actually result in fewer workforce training dollars coming to Maine.

In the proposed state plan, the Governor intends to "dramatically decrease the Workforce Investment Act (WIA) administrative dollars used to support four LWIBs and to apply those saved dollars to training assistance for participants." The Governor's plan to cut administrative funds represents a great financial loss to locally based workforce investments. This dramatic decrease represents about \$800,000 statewide. When LWIBs are running properly, these administration funds permit us to invest in developing robust regional partnerships among employers, community colleges, economic development agencies and other community-based organizations to obtain additional federal investment in employment and training activities. For example, in Area 4, as a result of our effective use of administration funds, we have obtained an additional \$18 million in grants over the past five years to supplement WIA job training funds. This return on investment dramatically outweighs the \$800,000 in potential savings claimed by the administration.

As a representative of the Coastal Counties Workforce Board I share a deep concern that the Governor's plan to centralize management and oversight over WIA funds in Augusta, while more actively engaging Maine's chambers of commerce in determining the training needs of workers and business — but without any additional financial resources to assist them — will result in the actual loss of millions of dollars of external investment in Maine's employment and training system.

Thank you for your attention to this matter. Please don't hesitate to contract me with questions or if I can provide additional information.

Sincerely,

Robert E. Schmidt Chair – Coastal Counties Workforce Board Human Resource Manager L.L.Bean Inc.

From:

Ted St. Amand [ted@atlanticpestsolutions.net]

Sent:

Thursday, August 30, 2012 11:49 AM

To:

DOL, SWIB

Subject:

SWIB Strategic Draft Public Comments

Attachments: WIA Plan comments\_St.Amand.pdf

Dear Sir or Madam,

Attached, please my comments relative to the 2012 State Workforce Investment Act (WIA) Plan and subsequent waiver being requested of the United States Department of Labor.

Thank you for your attention and consideration.

Ted St. Amand
President / Owner
Atlantic Pest Solutions
P.O. Box F
Kennebunkport, Maine 04046
Office: (800) 439-7716
Cell: (207) 251-3144

www.atlanticpestsolutions.net

#### Sent VIA Email

August 29, 2012

S.W.I.B State House Station 120 Augusta, Maine 04333 Swib.dol@maine.gov

Dear Respected S.W.I.B Members,

I am writing to comment on the 2012 State Workforce Investment Act (WIA) Plan and subsequent waiver being requested of the United States Department of Labor. I am a small business owner in Maine and a former Local Workforce Investment Board Chair, a Coastal Counties Workforce Board Director for six years and a member of the Southern Mid-Coast Maine Chamber. In the past couple of years, my business has accessed important job training resources through the current workforce system and these training services and resources have been very important to my business. That is why I am troubled by the direction that you are pursuing for the Maine workforce system.

It is my understanding that your administration is attempting to dismantle the current workforce system in Maine by eliminating the Local Workforce Investment Boards (LWIBs) and instead administer the WIA in a centralized manner through the Maine Department of Labor. Frankly, the state of Maine is not well-served by providing centralized oversight in lieu of having regional oversight boards. Per your own remarks regarding the discovery made by federal auditors a few months ago that Maine took 1.3 million dollars that it was not entitled to from the USDOL, Maine state government continues to uncover problems from "financial systems that lack accountability, transparency and fiscal controls."

The current LWIB structure buffers the effects of direct state control over federal funds. With the current system, the LWIBs are administering the WIA funds with the State of Maine acting as an auditor of the LWIBs. Although no system is perfect, this certainly adds another line of defense, or accountability, to what you have called "ineffective internal controls" by the State of Maine.

Another of your administration's vocalized interests is to better serve employers through the creation of industry partnerships.

However, the concept of industry partnerships is not new; Maine LWIBs regularly seek and obtain federal resources for a variety of sector initiatives including IT, Health Care, Composites, Advanced Manufacturing and STEM related occupations. These initiatives are overseen by these majority private sector boards.

Industry employers in Maine are able to obtain new hire training through the federal grant opportunities mentioned above, but their incumbent worker skill needs remain unaddressed. This is due to certain federal restrictions within WIA which are beyond the control of state or local policymakers. For instance, the (WIA) program cannot serve incumbent workers unless the state of Maine has an active USDOL waiver permitting such and the employer being served must be at risk of closure. This is a huge hurdle to overcome and the waiver therefore does Maine little good as the majority of employers do not meet this standard. Employers are constantly raising concerns about their lack of ability to address incumbent worker training, but their firm isn't necessarily at risk of closure.

In 1996, the State of Maine created the Governor's Training Initiative (GTI) to supplement the WIA workforce system so that employers could have this important training need (incumbent training) met. Maine served thousands of incumbent workers annually up until your administration took office. Unfortunately, Governor, you eliminated GTI during your first legislative session.

At the end of the day, whether your proposal for workforce system restructuring is approved or not, the resources to effectively serve employer needs, specifically their incumbent workers training needs will still not exist in Maine. If the State of Maine provided needed resources to supplement WIA, this incumbent worker need could once again be met.

Dismantling the current workforce system does nothing to add accountability or to address incumbent worker training that Maine businesses need assistance with. In addition, this proposal comes at a time when our economy is still lagging from the recent recession and many Maine citizens still need assistance. It is clearly not the time to scrap a job training strategy that's working well and instead roll the dice on a new and untested plan.

Sincerely,

Theodore W. St. Amand

President / Owner Atlantic Pest Solutions

Arundel, Maine

P. . . .

From: Jeff Degan [jrdegan@gmail.com]

Sent: Thursday, August 30, 2012 10:49 AM

To: DOL, SWIB

**Subject:** SWIB public comment To Whom It May Concern:

I am writing in regards to your State's 2012 Workforce Investment Act (WIA) plan and request for a waiver to the United States Department of Labor to allow your State Workforce Board to act as Local Workforce board. I strenuously oppose both the plan and the waiver request.

Although I am not a resident of Maine, I do visit the state often and I have numerous friends and acquaintances there. Furthermore, inasmuch as Maine's request for a waiver would set a precedent that might be followed by other states, my own included, I feel that this could impact me directly. Therefore, it is both as a consumer of products and services made in Maine and as a United States citizen that I feel it is my right and duty to say that in my opinion these proposals would have disastrous consequences for many of my friends and acquaintances, and indeed for all Mainers.

There is nothing more important to the success both of businesses and the overall economy than the strength of the local workforce and it is precisely the Local Workforce boards who are in the best position to understand what is needed both by local employers and the people they would employ. It is somewhat ironic that the State's current administration is trying to get away with exactly what the governor's party frequently criticizes the federal government for doing: the centralization of services that are best left decentralized.

From what I can tell from your plan, there are no real metrics or line item budgets or financial analysis provided which would in any way substantiate the need for the destruction of what appears to be a system that works well and is solidly grounded in federal law. Why would the state put much needed training resources at risk when there are so many in need of retraining in Maine?

Is this an example of the "Ayatollah" tactics I have read about (see <a href="http://bangordailynews.com/2011/03/28/opinion/ayatollah-lepage/">http://bangordailynews.com/2011/03/28/opinion/ayatollah-lepage/</a>), or perhaps yet another example of how the LePage administration is failing Maine?

Judging from the fact that the public comment period runs for a mere 10 days at the end of the tourist season (ending at Labor Day weekend) and the beginning of the school year, when many people's minds are turned elsewhere, I am guessing the former.

In case anyone in the LePage administration cares, the public comment process is a cornerstone of constitutional democracy. Rejecting tyrannical, closed government decision making in favor of open government, our forefathers instilled in our great democratic processes the importance of formal public comment. Yet the Le Page administration relegated a public comment/review period to only 10 working days on such an important plan. I have to agree with the above referenced Roger Bowen piece in the Bangor Daily News where he compares LePage to the Ayatollah Khomeini: "In both cases, autocratic rulers acted according to their own biases, not according to either an abstract idea like freedom of expression, or a democratic recognition of the legitimacy of plural representations."

From my vantage point — as an observer of the democratic process, as a business professional, and as a friend of Maine — LePage's plan is ill-conceived and ill-advised. The public comment process is flawed, if not corrupted. I cannot see the merit in his plan and as a result, I strongly encourage decision makers at the US Department of Labor, for the sake of Maine's residents, to deny this plan and waiver request.

Sincerely,

Jeffrey R. Degan



August 30, 2012

State Workforce Investment Board State House Station 120 Augusta, ME 04333 swib.dol@maine.gov

To whom it may concern:

I am writing in opposition to the request for a waiver that would dramatically change the way job training services are delivered in Maine under the federal Workforce Investment Act.

The local workforce investment board that we work with, Coastal Counties Workforce, Inc (the LWIB responsible for the state's six coastal counties) works incredibly well with local area businesses to meet their workforce needs, and has enjoyed strong bi-partisan support. Coastal Counties provided training for more than 2,000 individuals last year, and 75% of them were placed in permanent, good paying jobs. At the same time, CCWI was able to supplement its federal WIA funds with millions of dollars in grants to further aid unemployed and dislocated workers.

I feel strongly that the possible plan under consideration takes away local control and coordination of these scarce job training funds and consolidates the program in Augusta. Further, the plan may jeopardize millions of dollars in federal job training grants because the groups assigned to administer the program are inexperienced in leveraging these funds.

I urge you to examine the waiver proposal carefully. This proposal is a major departure from the intent of the Workforce Investment Act and would replace a highly successful program with an unproven method of providing essential job training services in Maine.

Sincerely yours,

Ethan Strimling CEO



August 30, 2012

State Workforce Investment Board State House Station 120 Augusta, ME 04333

Good Day:

I am writing today in support of the 2012 Workforce Investment Act State Strategic Plan.

I was part of a group of Chamber of Commerce Directors that was invited to meet with Governor LePage to hear his concerns that, based on the existing model, only 20% of the federal job training funds received by the State of Maine are actually used for training (the other 80% going to administrative costs).

During that meeting, the Governor, folks from the Department of Labor and the State Workforce Investment Board asked if the Chamber of Commerce Directors would be willing to get involved through outreach to businesses to disseminate specific information regarding workforce development and collaborate on events such as job fairs, business round tables, etc. I didn't have to think very long about my response as business outreach, advocacy and the success of our local businesse's is the prime mission of the Wells Chamber of Commerce.

In discussions with businesses throughout the Southern Maine area, the consistent message of everyone has been that they have positions to fill, but cannot find applicants with the required skills. My concern, I reluctantly admit, is that even though I have been involved in Chambers of Commerce in Southern Maine for over a decade, I was not aware that we had a Local Workforce Investment Board.

I believe that smaller, regional meetings with stakeholders such as Service Providers, Economic Development Groups, Educational Institutions, Municipal Officials and Local Businesses would prove to be more productive in identifying the workforce development needs of each region as well as provide the means for everyone to be informed and "on the same page" for future collaboration.

Thank you for your time.

Sincerely,

Eleanor J. Vadenais Executive Director

WELLS CHAMBER OF COMMERCE PO BOX 356, WELLS, MAINE 04090 207-646-2451 voice • 207-646-8104 fax www.wellschamber.org

## #

#### Freund, Richard

From: Mel Clarrage [mclarrage@drcme.org]

Sent: Thursday, August 30, 2012 1:19 PM

To: DOL, SWIB

Subject: SWIB comments

Support for Maine's WIA State Plan.

To: State Workforce Investment Board Director.

From: Mel Clarrage 221 Longfellow St. Westbrook Me

Subject: Support of Maine's 2012 Workforce Investment Act (WIA) state plan.

I am honored to be an employment advocate for the Disability Rights Center and equally honored to have been appointed by two Governors to represent persons with disabilities on the state's Workforce Board; however, it is as a private citizen of Westbrook that I write this letter in support of the 2012 WIA state plan.

Unfortunately, I am in the minority of persons with disabilities as I have been able to obtain the required training to secure quality employment for all of my adult life. As a direct result of my own experience with the vital role a meaningful career plays in leading a fulfilled and fulfilling life, I have devoted that career to enhancing opportunities for all of Maine's citizens to engage in meaningful employment.

With this background in mind, I am writing this letter to offer my full support of the direction our workforce development system is heading at this time, as we are finally gaining increased input from our employers and ensuring that all state employment and training programs are striving to meet the needs of Maine's businesses and all residents.

The 2012 state WIA plan makes some bold changes in how we conduct the business of the workforce development system by having ONE workforce board charged with the oversight of Maine's system and at the same time increases business input from creating EIGHT local points of contact via the Chambers of Commerce.

I have heard the statement over and over again that Maine's employers need skilled workers. The changes to the focus of the WIA help us identify what skills are needed so that our workforce development system can – by necessity – focus our resources toward helping people gain those skills. The large membership of the Chambers of Commerce can ensure that we receive increased feedback on the existing skill gap.

Governor Paul LePage has stated that he wants an increase in resources used to train Maine people with lower administrative costs. Evaluation of agency budgets in recent years has revealed that less than 10% of the dollars in those budgets has been going to actually providing training. Through embracing this new focus of the WIA state plan, we should be able to put those shameful years behind us.

An additional key element and benefit of this plan is found in the tracking of data and creation of transparency on where the jobs are, what skills are needed and how much it will cost to train workers. It is my hope that language could be added to include persons with disabilities as several other target populations are mentioned in the plan. Given that roughly 10 percent of working age adults have a disability and less than 40 percent participate in our workforce, it

would make since to devote time and resources to this population.

In closing, I am very supportive of the new direction of Maine's workforce Development system and am optimistic that when this plan is approved Maine employers will have a higher skilled workforce fully inclusive of all residents of our state.



August 29, 2012

Fred Webber, Chair State Workforce Investment Board 120 State House Station Augusta, ME 04333

Dear Mr. Webber:

Please accept Coastal Counties Workforce, Inc.'s public comments pursuant to the August 17, 2012 announcement that the State Workforce Investment Board is soliciting input on the 2012 Workforce Investment Act State Strategic Plan (which includes a USDOL waiver request).

#### I. GOVERNOR'S FAILURE TO "CONSULT" WITH THE LOCAL WORKFORCE BOARDS/CHIEF LOCAL ELECTED OFFICIALS

In early October of 2011 a decision was made by the Governor of Maine that Local Areas and LWIBs would be eliminated in Maine and replaced by a Single State Delivery System of Workforce Investment through the Maine Department of Labor. Despite the significance of this decision, the Local Workforce Investment Board Directors, the members of the Local Workforce Investment Boards (LWIBs) and the Chief Local Elected Officials (CLEOs) were not "consulted".

Throughout the WIA Plan it is stated that the Governor and his officials consulted with us (LWIBs/CLEOs), but the two brief encounters were not a consultation. Consultation generally means "to ask the advice or opinion, to confer or deliberate together". Both on October 6, 2011 when meeting with the LWIB directors and February 7, 2012 when Governor LePage and his staff met with the CLEOs, he stated his intentions, but a consultation never occurred. Both the LWIB directors and CLEOs were told that not enough of the WIA Program dollars were being spent on direct training and that the LWIBs were being done away with and the state would become a single state delivery area. The discussion was one-sided — the edict unilateral.

At the October 6<sup>th</sup> meeting, although the Governor pronounced that a one workforce board state would be created, he nonetheless instructed the four local board directors to work with members of his administration to come up with a plan to increase the training percentage by December 31, 2011. Based on this directive, we (the four LWIBs) waited to hear from the administration on next steps.

The administration arranged a date for a meeting on November 22, 2011 and subsequently cancelled this meeting, suggesting that "they were still trying to get their head around this whole workforce issue". Approximately a month later, the SWIB staff provided one option to the LWIB directors for a December 8<sup>th</sup>, 2011 meeting. All four LWIBs responded promptly asking for another date as three directors had pre-scheduled quarterly, full LWIB meetings and

one had a mandatory attendance at an Education Summit. There was no bad faith on the side of the LWIBs in their request for a rescheduled date. Staff never indicated that there was only one opportunity for a meeting nor did they provide us with another option for a rescheduled meeting despite our requests. Therefore, we disagree with the assertion made on page 40 of the SWIB draft plan dated August 17<sup>th</sup>, where it is stated that two follow-up meetings were cancelled due to the LWIB directors' conflicts.

During the next few months, the Maine Jobs Council was reconstituted and the LWIB Directors, who had a seat on the Council since the passage of WIA, were all excluded. Only two CLEOs were allowed to remain on the Council so that WIA regulatory requirements would be met. However, as there are 4 local areas in Maine with distinct characteristics, all areas should be represented. During the spring legislative session, legislation was introduced that changed the composition of the Maine Jobs Council (MJC) officially eliminating LWIB representation from the Council and any of its subcommittees. In addition, further limiting diversity of representation on the new Board is the fact that only one person, the Bureau of Employment Services Director, would now chair the Program Policy Committee. This person singularly represents (through one vote) WIA Title I, Wagner-Peyser, Adult Education, Vocational Rehabilitation, TANF/Food Stamps, SCSEP, Carl Perkins, Community Service Block Grant, HUD, Unemployment Insurance, University System, Career and Technical Education, Trade Adjustment Act and Veterans programs. This scheme does not ensure that local interests and stakeholders have fair and equitable treatment as their votes are literally only a fraction of a vote on full board matters.

#### II. WIA PLAN PROCESS EXCLUDED LOCAL AREAS

On January 27, 2012 at a Maine Jobs Council (MJC) meeting, the Governor's plan was formally advanced to restructure the Workforce System in Maine — eliminating the LWIBs and creating a single state delivery system. The LWIBs/CLEO had no foreknowledge that this was going to be announced. On March 3, 2012 at the subsequent MJC meeting, it was explained that the state would seek a waiver from the USDOL, allowing the state SWIB to assume the role of the LWIBs. Additionally, the plan to establish 8 Chamber Regions that would be responsible for providing outreach and referral of business to the CareerCenters was also introduced.

At the April 6, 2012 MJC/SWIB meeting, the SWIB "State Plan Workgroup" was established. The LWIBs were told that they were not members of the SWIB State Plan Workgroup and could therefore not participate verbally unless asked a question. As a result the LWIBs requested the opportunity to provide SWIB members with local area presentations and were denied. Seven work sessions for this workgroup ensued through July 2012. Despite the nature of the conversations which centered around service delivery and WIA, all of these meetings occurred without any consultation or meaningful dialogue with the LWIBs.

10 Working Day Comment Period Is Unreasonable—Limiting Public Input

On August 17<sup>th</sup> the SWIB voted in favor of both the 2012 Maine State WIA Plan and SWIB-LWIB Waiver. The public comments are due to the SWIB on September 2, 2012. This effectively provides interested parties with a <u>10 working day</u> period in which to provide public comments. Given the gravity of the proposal not to mention the length of the document submitted, a 10 working day period is simply unreasonable. In light of USDOL's own 30 day period for the Migrant Seasonal Farm Workers Plan (20 CFR §653.107 (c) (v)(d)), which is incorporated into the state's WIA plan, 10 working days is indeed questionable. The administration has

also decided not to conduct a public hearing despite the fact that the subject matter is of great public concern. All this is further evidence that the administration has truly limited public input on such a vital matter.

It is interesting to note that TEGL 37-10 provides:

"The WIA regulations at 29 CFR 661.230(d) specify that modifications are subject to the same public review and comment requirements that apply to the development of the original State Plan; the state must provide an opportunity for public comment on and input into the development of the modification before submitting it to ETA."

The initial Maine WIA State Plan of 2000 provided a full 60 day public comment period. In light of this, the administration's belief that 10 days is reasonable confirms their lack of interest in public input.

• LWIBs Removed From MJC/SWIB Prior To Official Vote on New Bylaws and Prior To Official Enactment of State Law Revision Establishing The SWIB

One of the revisions to the state law changed the composition of the state board removing LWIB representation. This law however, takes effect on August 30<sup>th</sup> of this year. As a result, per the state law in effect during the state plan process (spring and summer 2012), LWIB representation should have been preserved. Moreover, the by-laws for the SWIB which effectively removed the LWIBs from the SWIB, were only voted in on August 17, 2012. Therefore, even per the by-laws, LWIB representation should have been preserved until this point. Despite these facts, it's important to note that LWIBs were removed from the MJC/SWIB effective December 2011.

III. PROPOSED WIA PLAN AND WAIVER FAIL TO MEET BOTH THE THRESHOLD ISSUE OF DESCRIBING COMPELLING REASONS FOR A NEWLY PROPOSED GOVERNING STRUCTURE AND: WHY LOCAL BOARDS CANNOT OR SHOULD NOT PERFORM ITS FUNCTION.

According to TEGL 26-09, Change 1, there are certain elements that must be included in requests for this *State Board as Local Board Waivers*. One of these requirements is a "[d]escription of the compelling reasons for the proposed governance structure and why a local Workforce Investment Board cannot or should not perform its functions". The state fails unequivocally to meet this high threshold and does not provide compelling reasons for this newly proposed governing structure.

The LePage waiver request puts forth several very weak reasons to support the state's position that the current LWIB system should be done away with.

#### Administrative Oversight & Accountability

Governor LePage's own remarks regarding the discovery made by federal auditors that Maine took \$1.3 million dollars that it was not entitled to from the USDOL, Maine state government continues to uncover problems from "financial systems that lack accountability, transparency and fiscal controls". Former Acting Commissioner, John Dorrer, remarked in his February 25, 2011 letter to the USDOL that, "It is clear that we [the state of Maine] must establish better cash management and budget control policies and procedures going forward to address the current situation and to assure that we have regained the confidence of USDOL-ETA to manage the federal resources awarded to us". Although these problems cannot be attributed to the current administration solely, these and other financial issues have been on-going at MDOL through several administrations, and are still not rectified. With such history, we have little confidence that the state can effectively assume all WIA financial responsibility. The current LWIB structure buffers the effects of direct state control over federal funds.

According to WIA legislation, the state's role should be of monitoring and oversight. WIA is a regulatory heavy funding stream. As a result, ensuring appropriate controls are in place is crucial. The state's plan to limit administrative costs i.e., reduce the amount of WIA funds to support administration is not viable. WIA provides a long list of critical items that must be undertaken including: accounting and budgeting; financial

and cash management; procurement and purchasing; property management; payroll and personnel management; general oversight, audit and coordinating the resolution of findings from audits, reviews, investigations, and incident reports; general legal services; developing and operating systems and procedures, including information systems, required for administrative functions; and oversight and monitoring of administrative functions. In order to ensure all these elements are met and that they are met at a high level of diligence, the administrative funding allowed by WIA at both the state and local level must not be compromised no matter what the alternate intended use(s) may be. In order for a state to avoid sanctions, avoid auditing problems, etc., staff resources are required. The current levels of staffing at the MDOL and the Department of Administrative and Financial Services (DAFS), in addition to the continuous problems with the state's financial administration, would put our precious WIA funds at risk.

#### Quality of Services

Governor LePage's waiver request itself states that overall customer satisfaction is not being questioned under the current four LWIB system. Moreover, the LePage administration has no foundation on which to base an argument that the current LWIB configuration impedes WIA administration and/or any state plan which is in compliance with federal law. In addition, there is no compelling quality of service issue on which to request a waiver. Furthermore, the state's plan mentions that "it is <u>expected</u> that the quality of services would improve under one LWIB...." is without foundation and is complete conjecture. This argument does not rise to a level of a sufficiently compelling reason under which to subject an entire state's LWIB structure to complete demolition.

#### Consistency of Work Processes

In his waiver request the Governor claims that "while every community is unique, there are benefits to having some work processes be consistent. The most obvious consistency would be related to data collection, both program and financial." The State of Maine's database system for WIA is outdated, difficult to use and is limited with regards to the reports it allows local areas to run. The state was actually cited for this in a federal monitoring and as a result, the MDOL is currently purchasing a new database system. With the proposed One-Flow system through Empyra (which the MDOL is currently setting up), since it is web based, accessibility will be the same for all local areas and service providers. This assertion by the state is completely artificial as they control the database system(s) used by all four LWIBs and importantly, if there are any deficiencies in data collection, it is as a result of the state of Maine taking so long to update the database system we all use.

#### Policy Authority & Flexibility

The Governor's waiver request completely overlooks what is clearly an intention of the WIA – Local Area Policy Authority. By taking on such a role, LWIBs coordinate and facilitate regional approaches which ensure that their residents' needs are met. Moreover, there are reciprocity policies and MOUs among the LWIBs to ensure that WIA customers are never turned away from services regardless of their entry point for services.

The Workforce Investment Act (WIA) regulations' preamble speaks for itself:

"A fundamental principle of WIA is to provide local areas with the authority to make policy and administrative decisions as well as the flexibility to tailor the workforce investment system to meet the needs of the local community. To ensure this flexibility, the regulations afford local areas the discretion to provide supportive services as they deem appropriate with limitations only in the areas defined in the Act. Local Boards are required to develop policies and procedures addressing coordination with other entities to ensure non-duplication of resources and services, as well as any limits on the amount and duration of such services. Attention should be given to developing

policies and procedures that ensure that the supportive services provided are not available through other agencies and that they are necessary for the individual to participate in Title I activities."

#### IV. STATE WIA PLAN & WAIVER BASED ON POORLY DEVISED AND FLAWED SYSTEM DESIGN

#### • Potential Misinterpretation of the Waiver

Under the section entitled, Partner Roles and Responsibilities in the Restructured Workforce Development System, by proposing the "SWIB as LWIB" waiver, Governor LePage is subsuming the roles and responsibilities of not just the LWIB and LWIB staff, but rather the entire local area(s) including the CLEO and the fiscal agent into his office, the SWIB and MDOL. From both TEGLs on point, the Governor cannot request a waiver that will alter or eliminate a state's local areas—which is precisely what the LePage waiver request does.

#### Flawed System Design

The WIA Plan creates eight chamber of commerce regions described as "local workforce areas". BUT, the description of the chamber roles and responsibilities is limited to "connecting, brokering and coaching...." and "coordinating activities with economic development". These roles are not representative of the full responsibilities that need to occur in a local area for purposes of WIA administration. Moreover the proposed plan vacillates from stating that there will be eight local areas (i.e., the chamber regions) and in the same breath commits the SWIB to "carry[ing] out the roles and functions of the LWIB". So which is it? Eight local areas or one?

#### No Net Decrease of WIA Administrative Dollars or Increase of WIA Program Dollars

Although the state's waiver request is premised on there being a dramatic "decrease" in the "WIA administrative dollars" the same plan allows for chamber reimbursement for "any expenses specifically associated with the new workforce development activity". With no cap on or explanation of allowable expenses, these activities could easily cost beyond the 10% cap on administrative dollars allowed by WIA. This possibility certainly negates the LePage claim throughout the plan that significant resources will be available to provide additional skills training to individuals.

The plan also specifically states that there will be a "cost limitation of 10% for administrative costs" which is the current amount awarded to existing LWIBs. Therefore the salient question is: where are these "dramatic" savings the state speaks to? Based on our contracts with chambers, and their very evident staff capacity issues which we experienced directly in addition to the state's own staff capacity issues, we do not believe that the savings is so significant or compelling that an entire system of successful local WIA administration should be wiped out.

In fact we contend that the Governor's plan to cut administrative funds represents a great financial loss—there is no gain. When LWIBs are running properly, like ours in Area 4, the 10% administration costs that we are provided, permit us to employ staff that also work on bringing in large discretionary awards to regions. For example, in Area 4, as a result of our effective use of the 10% administration funds, we were able to bring millions of dollars to the region. Our agency brought in an additional \$18 million dollars in training funds over the course of the last 5 years which is substantially more than any savings that could be claimed by the administration.

Based on all the above, and the fact that the administration has not provided us with any form of documentation or budget for this new 'system,' nor provided any information regarding transition costs—much ambiguity exists as to the real cost savings, if any, under the LePage plan. We therefore assert that there is no compelling fiscal reason to grant the state of Maine its request for a waiver.

#### • The Role of Chambers of Commerce

We do not disagree with the utilization of Chambers of Commerce as a vehicle for business outreach. But for all the emphasis the Governor's plan places on Chambers, it is interesting to note that the entire Workforce Investment Act regulations contain only one mention of Chambers. Conversely, reference to local areas is found in the regulations over <u>450 times</u>. The newly proposed chamber regions simply do not meet the WIA intention or definition of local areas.

The Governor's plan also makes claims regarding a chamber's greater responsiveness to employers and business. However, we contend that business responsiveness is more than sheer number of employers that are contacted. The document relies on quarterly meetings and potential surveys in each of the eight regions to obtain business <u>input</u> which will be forwarded to the SWIB for policy decision making. Although this may have value, it certainly does not replace the current comprehensive LWIB system which is based on business led boards engaging in policy development nor does this chamber initiative reach a threshold or compelling reason to deconstruct a system that is working.

#### • Inconsistencies

The plan is riddled with incongruences and inconsistencies. In many sections, the plan/waiver request and the operational plan components do not correspond in structure or contents. Refer to the addendum to this document for several examples of such inconsistencies.

#### V. INDUSTRY PARTNERSHIPS

Governor LePage is claiming that "Industry Partnerships" will be created through the new State Workforce Investment Board to drive the decision making on training needs. We recognize the Governor's interest in creating such partnerships with industry and it is evident that such partnerships exist in our local area and that this Board has been successful at obtaining discretionary grants. In this local workforce area, recent industry partnership examples include healthcare, IT, composites, advanced manufacturing and Science Technology Engineering & Math (STEM). These projects alone represent occupational skills training at good wages for nearly 1,500 Mainers. The Governor's plan provides no compelling reason to do away with local workforce boards when we have been so successful at garnering results from these industry led initiatives.

In contrast to states like Pennsylvania, Maine, under Governor LePage, has proposed no state funding. In fact, the Governor has instead eliminated the Governor's Training Initiative (GTI) that supplemented the federal job training funds by enabling employers to receive funds to train their incumbent workers, something that the federal monies simply don't allow for. Interestingly, one of the first needs mentioned by industry partners is the need for incumbent worker training funds, so we were concerned that such a program was eliminated when he otherwise speaks so strongly in favor of industry partnerships.

It is important to note, that under the current WIA framework, training for incumbent workers is not available unless a business is at risk. It is simply not a vehicle for the training sought for this population. The LePage plan speaks to servicing industry needs but does not offer a viable option.

#### VI. NEW ROLES: NO NEW CAPACITY

The proposal has the Maine Department of Labor picking up the work that the four local workforce area staff are currently doing without additional staff resources. No new staff will be added, instead the work of four local areas will be subsumed into an already overwhelmed department.

Neither the MDOL nor the SWIB have the capacity to properly monitor and oversee WIA programs while taking on the LWIB functions (which the Governor's plan proposes). LWIBs are charged with the oversight of the One-Stop system, youth activities and employment and training activities under Title I of WIA, selecting One-Stop operators, selecting eligible youth service providers, identifying eligible providers of adult and dislocated worker services, negotiating and reaching agreement on local performance, coordinating workforce investment activities with economic development strategies and developing employer linkages; and, promoting private sector involvement in the Statewide workforce investment system through effective connecting, brokering, and coaching activities through intermediaries such as the One-Stop operator in the local area or through other organizations, to assist employers in meeting hiring needs.

LWIBs are also responsible for ensuring that a Youth Council as a subgroup of the Local Board is established and that coordination with workforce and youth plans and activities in accordance with WIA occurs. Unfortunately, the current state plan proposed by LePage provides for the establishment of only one Youth Council for an entire state which we believe is also entirely inadequate for a state the size of Maine with such differing geographic/demographic areas.

Local Boards are also an integral part of regional planning which is a precept under WIA but also very resource intensive. The MDOL nor the SWIB have capacity to take over such regional obligations and per their direct omission, they will not utilize administrative funds to hire the additional capacity to fulfill these obligated WIA responsibilities.

Contrary to the LePage plan, in order to ensure all elements of WIA administration are met and that they are met at a high level of diligence, the administrative funding allowed by WIA must not be compromised no matter what the alternate intended use(s) may be. In order for a state to avoid sanctions, avoid auditing problems, etc., staff capacity is required.

#### VII. CONCLUSION

Governor LePage's plan was conceived and developed without consultation with the CLEO's. Moreover, the LWIBs were excluded from the process. As a result, the plan and waiver request are poorly devised with a flawed system design. There is no cost savings clearly articulated and there are no significant resulting training funds. The MDOL, by its own admission intends to simply absorb all of the current LWIB functions without additional capacity at MDOL and simultaneously underwrite the staff capacity necessary for the chambers of commerce to simply do business outreach—this is not a viable plan. Furthermore, the plan and waiver request do not have the agreement of the CLEOs and neither the plan nor waiver describe "compelling reasons for a newly proposed governing structure". Also no case is made as to why "local boards cannot or should not perform their functions." For these reasons, CCWI urges the USDOL to reject the Waiver Request and direct MDOL to modify its plan to include the Local Areas and LWIB structure.

Sincerely

Michael T. Bourret Executive Director

Mahael TVB /

Cc: Jane Oates, Assistant Secretary of Employment & Training Administration, USDOL Holly O'Brien, Regional Administrator, USDOL - ETA-Region 1

# ADDENDUM TO COASTAL COUNTIES WORKFORCE, INC. PUBLIC COMMENTS TO: 2012 Maine State WIA Plan and SWIB-LWIB Waiver

The 2012 Maine State WIA Plan and SWIB-LWIB Waiver request are riddled with incongruences and inconsistencies. A few examples follow:

Page 61- In discussing the duties of the rapid response team the plan states that "Coordination of fundraising events from dinners to barbecues to dances and auctions whereby the proceeds can go toward emergency services fund for the affected workers." Although no one would argue the importance of providing emergency services to dislocated workers is important, we question the allowability of using federal WIA funds to do fundraising activities.

Page 63-64- With respect to local goals the plan states, "They may have been established by the SWIB or local governance entity for the entire area or established independently by a CareerCenter." The proposed plan effectively dismantles any local governance structure so which entity is this referring to?

Page 64- With respect to reporting the plan states that, "Reports are submitted for each program contracted with the local board." This proposed plan dismantles all four local boards so there will be no local boards nor contracts between service providers and local boards.

Page 65- With respect to performance the plan states, "In situations of underperformance, MDOL will work with the local area and the program operator to discover the reason for the underperformance and help correct it." Assuming the program operator is the WIA service provider and it is clear that the chambers role in this new scheme is limited to business outreach, there is no entity identified (and the LWIBs have been extinguished under this proposed plan) to provide local implementation and oversight.

Page 66- With respect to target populations the Plan states, "Throughout this planning process the SWIB, MDOL, Local Areas and service providers have been working collaboratively to address the need to narrow, if not close, the gap that exists between high wage and low wage workers." The reference to local areas here is again inaccurate. The state has simply not worked with LWIBs or local areas on this matter during the planning process or at any time during the Le Page Administration's tenure to date.

Page 76- With respect to the SWIB's Older Worker Committee (OWC) the plan states, "The OWC provided advisory assistance and fulfilled oversight responsibilities for the federally funded Aging Worker Initiative (AWI) ..." This statement is false. The AWI grant is a federal grant entirely administered by Coastal Counties Workforce, Inc. (CCWI) who is the grant recipient. CCWI had the vision and capacity to submit a grant application to address the needs of older workers as a demonstration throughout the state of Maine. The OWC's involvement occurred because CCWI asked the group to be a partner in the effort, however the OWC did not fulfill any grant oversight responsibilities.

Page 80- In discussing the youth program the plan states that, "The Local Area Youth Councils continue to stay engaged in assessing existing youth services and partner with both statewide and local entities ..." According to the Le Page plan, should the plan be approved there will only be one statewide Youth Council, there will not be a Youth Council in each "local area".

Page 81- In discussing the youth program the plan states that, "Local Areas have implemented services and strategies to achieve the vision through the following:" Once again, implicit in this section is the suggestion that Chamber Regions/Local Areas will address youth services. In other plan statements it is explicitly stated that chamber involvement is primarily limited to business outreach. Although service providers may provide youth services, local youth strategies at a local area level will be nonexistent.

#### Freund, Richard

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From: Cloutier, James [cloutierj@ccdpa.com]

Sent: Thursday, August 30, 2012 2:44 PM

To: DOL, SWIB

Subject: WORKFORCE INVESTMENT ACT STRATEGIC PLAN 2012-2016

Dear Sir or Madam:

Please accept this as public comment on the proposed workforce investment act plan request for a waiver of requirements required to implement the proposed strategic plan.

For the past four years, I have been the elected local official serving as a member of the Coastal Counties Workforce board of directors, representing Maine's most populous county and its largest workforce, Cumberland County. Prior to my current service as a Cumberland County Commissioner, I served for approximately ten years as a City of Portland, Maine City Councilor, and in that office served as the city's Mayor and multiple years as the Chairman of its Community Development Committee, the committee charged with economic development, business regulation and promotion and similar matters. During my service, the City of Portland enjoyed spectacular economic success, with strong and consistent economic growth, rising median incomes, strong housing markets and low unemployment rates. Educational opportunity and, in particular, workforce training were certainly important elements of this success, and have become more important as economic stress has been more recently experienced. The Portland City Council repeatedly required workforce training and development as elements of project approvals negotiated for public financing or use of public facilities for economic activities during this time.

I do not have an opinion concerning the feasibility of the state plan in other more rural areas of Maine, although my surmise is that the described resort to central planning at the Maine DOL and use of local resources in the form of the rural Chambers of Commerce seeks to access a local capacity that does not exist. Many of these organizations structure their activities around their available resources and sometimes struggle to maintain a storefront and the capacity to routinely answer the telephone.

It is clear that the Greater Portland Chamber of Commerce could serve a useful administrative function if it chose to abandon its political activities, agreed to dedicate some of its resources to DOL activities and could overcome the objection that it is a private organization without proper accountability or taxpayer control. The proposal to delegate to this private, unaccountable organization important governmental functions which are critical to the delivery of important economic benefits for citizens in difficult employment circumstances is unsound and outside the realm of reasonable policy alternatives. Moreover, the particular function of inventorying employer needs, as a precursor to creation of, or concomitant confirmation of training programming priorities requires a depth of investigation and persistent engagement which is obviously far beyond the actions contemplated by the plan. I see no indication that this organization would commit to the public accountability required.

This aspect of the plan makes it reek of being a sham.

As a member of the Board of CCWI, I am aware that the WIA funding has been the foundation of the organization's operations, however, the Board and the organization's management has built in that foundation through cooperative programs, grant administration and related undertakings

that affect the delivery of training and reemployment opportunity in our counties. I appears from its bombastic public statements about current operations that the administration is unable to differentiate between the modest amounts - restricted by law - which the law permits for administration at the local level from these funds and amounts related to the entire organization budget for a wider array of activities operated by CCWI. Since I am aware that this information has been provided to the administration more than once, and is readily available from public sources, it seems that the uncomfortable conclusion is possible that the purpose of this proposal is political and the claims for a beneficial shift in resources to direct service, and the unaddressed doubts about the disengagement of a centrally operated program from the "on the ground" work of employee retraining are simply immaterial to the real purpose of this proposal. It is not a coincidence that the proposal was not endorsed by the labor representatives or the local government representatives on the statewide board.

I urge you to withdraw this ill-advised proposal. Please include these comments as public comment to be transmitted to appropriate USDOL officials who may be asked to consider it. If there are delivery costs or administrative steps which the Maine DOL believes merit attention, I believe you should commit to an interactive and integrated examination that places all the funding - including those diverted by the Department to its purposes - into an examination of appropriate alternatives. I am a private businessman and fully understand that technology and productivity enhancements are constant in our economy and finding those strategies and making good use of them is a critical strategy. In fact, our board has a number of leaders from private business in the CCWI catchment area who regularly bring those skills and and that developing knowledge and capability to the management of the enterprise. It is precisely that capacity which lead to the enlargement of functions at CCWI to supplement the WIA function through the entrepreneurial inclinations of its management and board. That is the much needed function which will be most plainly lacking and missed if the centralization plan is adopted.

My recommendation is that this plan be shelved.

James F. Cloutier Cumberland County Commissioner

Cloutier, Conley & Duffett, P.A.

www.ccdpa.com 465 Congress Street # 800 Portland, Maine 04101 207.775.1515 tel. 207.774.7984 fax

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J. Michael Wilhelm 70 Overlook Lane Casco, Maine 04015

August 30, 2012

Dear Mr. Webber

For the past several years I have worked closely with the Coastal Counties Workforce Inc. as a public school superintendent and as a member of its board and have seen the effect that its efforts have had on improving opportunities for workers in mid-coast Maine. Efforts in partnership with local community colleges and employers that might have fallen by the wayside without their leadership have helped the unemployed gain a foothold in the workplace and have provided new skills to existing workers.

I have seen my students take advantage of the Maine Advanced Technology and Engineering Center which offers degrees and certification in composite technology at the mid-coast campus of Southern Maine Community College, of the expanded nursing program at the Brunswick Landing, and of trainings at the Landing for the new businesses there. I have seen our adult education program offer the CCWI WorkReady program for those who have lost their jobs and need to learn again how to reapply for employment. I have chaired the CCWI Youth Council and seen the opportunities that were made available to younger eligible workers who were struggling without employment.

I do not believe the State of Maine has the resources, energy, commitment or vision to have the same targeted regional impact. The closure of the Brunswick Naval Air Station had a tremendous impact on the mid-coast area and CCWI had a major role in the redevelopment of the base. It had intimate knowledge of the issues and needs and the focus to apply its leadership and expertise. I believe that any costs savings the State may experience from assuming these responsibilities will be offset by the loss of the additional grants and resources CCWI was able to acquire. The governor's plan is ill-conceived and short-sighted.

Sincerely

Michael Wilhelm Retired Superintendent M.S.A.D. NO. 75 Topsham, Maine 04086



### MAINE AFL-CIO

A Union of Unions Fighting for Maine Workers 21 Gabriel Drive, Augusta, Maine 04330 Tel. (207) 622-9675 • Fax (207) 622-9685

> Visit our website; www.maineaflcio.org facebook.com maineaflcio

President
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Vice President
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cpcarleton@yahoo.com



Secretary Treasurer
Alan Shepard
ashepard@ibew567.com

As a leader in organized labor communities, a member of the Chamber of Commerce and a member of the Maine State Workforce Investment Board (SWIB), I am following up my vote of August 17, 2012 "not to approve" the State's 2012 Workforce Investment Act (WIA) Plan and Waiver with this letter for the public comment record.

First, the proposal to eliminate the four Local Workforce Investment Boards (LWIBs) is ill-conceived and unnecessary. If the State has issues with financial and/or programmatic performance, the mechanisms already exist to address those issues – through monitoring, corrective action and even, at an extreme, a temporary intervention to help get any one Local Area which is not performing back to a high level of performance. Eliminating all LWIBs because the perception is that there may be problems is neither strategic nor appropriate.

Second, the plan indicates that the LWIBs have different policies and this is another concern to the State and a "reason" to eliminate the LWIBs. In reality, the WIA strongly supports the implementation of this federal program at the local / regional level in order to foster and promote approaches and procedures customized to the region. It is the intent of the law that the differences inherent in geography and economy be recognized and accommodated.

Third, many of the "problems" cited in the Plan reflect issues that arise from the requirement within the WIA language itself. They are not structural. The law is weighted towards the supply side (individual job seekers) rather than the demand side (businesses and industry). From my perspective, that is not automatically a problem at all. WIA supports many thousands of Maine workers when they are voluntarily or involuntarily facing employment and training changes. While a strong relationship with business is necessary for success in training and placing individual workers, to assume that business identified and implemented training automatically is "best" and serves the workers best is deliberately naïve. Eliminating the LWIBs will not remove the WIA emphasis on the individual. The plan "solves" a structural problem ie that the LWIBs are the block to more successful business services when it is the law itself that limits business services.

Fourth, the "initiatives" proposed are not new to the system. Chamber Interface, business input, and industry partnerships are all being actively pursued in every part of Maine. While any initiative can be strengthened, all the activities proposed can be and are undertaken via the existing LWIB delivery structure and do not require a change in governance.

Finally, the State Plan creates eight "Local Areas" that align with the tourism regions and interface with the local Chambers. These Local Areas will be governed by the State Workforce Investment Board. Currently, the 4 Local Areas are governed by their CLEOs and Boards which have decision-making authority over the policies and budget. The State Plan replaces decision-making authority at a local / regional level with the SWIB, which is not local and is purely advisory. This is NOT a trade-off that even remotely benefits the job seekers, businesses or communities within the region. It also ties the decision-making authority on policy and budget to the Governor's Office (since the SWIB is advisory to this Office), making the WIA funds and programs subject to partisan changes and emphases in an unprecedented, and in my opinion, highly problematic manner.

The 2012 WIA Plan as it stands is inherently flawed. It should not be implemented as written. I request the Governor's Office to review and respond to these public comments and approach the LWIBs to craft a viable plan. Failing that, I hope that US DOL will not support this proposal as designed.

Don Berry

President Maine AFL-CIO

State Workforce Investment Board

#120 State House Station

Augusta, ME 04333-0001

Dear Sir or Madam:

I am writing to express my strong opposition to the plan proposed by our Governor to alter the current Workforce Investment Board organizational structure.

As both the individual elected by my fellow County Commissioners to represent our County on the Chief Local Elected Officials (CLEO) Board and the person chosen by my colleagues on the CLEO Board to represent our group on the Local Workforce Investment Board, I am very familiar with the existing WIB policy-making and service-provision structure. It has been carefully crafted over time to meet the goals aspired to by the Governor's recent proposal. Dissembling the current, well-functioning system and building a new organizational structure to achieve those very same goals would be an expensive and time-consuming example of "reinventing the wheel." A far better expenditure of time and money would be to continue to improve the existing Local Workforce Investment Boards by encouraging support from business leaders within the local regions.

Our Local Workforce Investment Board meets (and surpasses) the current minimum requirement for 51% involvement by private business. We welcome any assistance the State may provide that increases the contributions of local businesses toward the important work we do in expanding employment opportunities for Maine citizens and enhancing Maine's economic viability.

Thank you for your consideration of my concerns.

Sincerely,

Elaine Makas

County Commissioner,

**Androscoggin County** 



A Partnership of Community Chambers

To: SWIB.dol@maine.gov

Re: 2012 Workforce Investment Act State Strategic Plan

August 30, 2012

Gentlemen;

Please accept this email as the Portland Regional Chamber's comments in support of the 2012 Workforce Investment Act State Strategic Plan.

We understand that the 2012 Workforce Investment Act State Strategic Plan is designed to maximize the effectiveness of state and federal investments in workforce training. In our region we are aware of many employers who have current workforce needs. The opportunity to better serve our communities by making workforce investments more successful is something we are particularly anxious to see accomplished.

The 2012 Workforce investment Act State Strategic Plan is particularly supportive of the Chamber's role as convener, allowing us to help bring together member and non-member companies in our region to discuss their workforce training needs, and to connect businesses with the Department of Labor and other available resources.

The plan's approach seems like a perfect opportunity for the Chamber to do something we're good at connecting people - in a way that serves one of our board's top priorities: more and better jobs for people in the region.

For that reason we support the 2012 Workforce Investment Act State Strategic Plan and we look forward to its approval and implementation.

Thank you for the opportunity to offer our comments.

W. Godfrey Wood, CEO

#### **Board of Directors**

Josh Bragg Chair CES Engineers/Surveyors

Leola Carter Vice Chair Bayside Shop 'n Save 4 Corners Shop 'n Save

Jody Grimes Secretary Lubec Rental Properties

Blaine Jones Treasurer Bangor Savings Bank

Susan Corbett
Axiom Technologies

Shirley Erickson
Maine Educational Loan
Authority

Tina Erskine Washington County Community College

Phil Grant Retired, Husson University

Cindy Huggins
University of Maine at Machias

Chris Lyford Machias Savings Bank

Representative Joyce Maker State Representative

Sheridan Smith Border Electric

Robert Tyler Indian Township Planning & Economic Development

Ex Officio
Representative David Burns
Washington County
Legislative Delegation

Chris Gardner Washington County Commissioners August 30, 2012

State Workforce Investment Board 120 State House Station Augusta, ME 04330

Dear SWIB:

The Sunrise County Economic Council (SCEC) has major reservations about several components of Maine's proposed Workforce Investment Act (WIA) plan, and would advise against changes that run counter to policies supported by the existing LWIBs and Chief Local Elected Officials.

Specifically, SCEC believes that the Aroostook-Washington LW1B is an invaluable resource that reflects the educational, economic, and workforce development needs of both of Maine's rural, northeastern counties. In 2010 our Council supported the realignment of Maine's federally-recognized economic development districts in an effort to achieve just that, (Aroostook and Washington counties also share the same USDA Rural Development zone.)

Realigning LWIBs now would undermine progress the two counties have made on all three fronts – economic development, education and workforce development at a time when Maine businesses, educators, and job creators need to be in sync locally, regionally, and statewide. Nowhere is this more evident than in Aroostook and Washington counties, both of which share limited resources, similar dynamics, and a continued willingness to work together across traditional lines to achieve a better quality of place.

Modifying the state's workforce development regions would also discourage involvement and innovation at the grassroots level, particularly in Aroostook and Washington counties where "local control" is a hot-button issue to say the least. The current LWIBs ensure that local people have a voice in directing how workforce investment resources are allocated in their own back yard. And that is important in rural areas where community buy-in can be the biggest obstacle to effectiveness.

SCEC is fully behind Maine's LWIBs. We stand united with the Northern Maine Development Commission (NMDC), and each of Maine's economic development districts, who oppose the state's proposed WIA plan.

SCEC asks you to deny any request to re-designate the LWIBs. Moreover, we concur with NMDC's view that the Five Year Strategic Plan and Waiver Request being submitted to the US Department of Labor does not contain any economic and workforce analysis, and therefore warrants a healthy level of skepticism. It is also our view that the state should analyze and interpret labor market information before committing to this plan, and that if a plan is advanced, it should be done in consort with the Maine Economic Development Districts' Association (MEDDA).

Please contact me if you have any questions.

Sincerely,

Haroid Clossey
Executive Director

Sunrise County Economic Council

#### Freund, Richard

From:

Tom H. Bartell [thbartell@town.windham.me.us]

Sent:

Thursday, August 30, 2012 4:31 PM

To:

DOL, SWIB

Tony Plante

Cc:

Subject: Draft WIA State Plan Comments

To whom it may concern:

I would like to applaud the effort to include the Chambers of Commerce throughout the State for outreach to local businesses, and the more localized investment in workforce development that the plan provides. I believe that the Town of Windham, through our relationships with RSU14 Adult Ed and the Career Pathways Coordinator, and the Sebago Lakes Region Chamber of Commerce with the Career Pathways Coordinator being Chair of the Education Committee, are both set up well to take advantage of the new regional/chamber approach.

The WIA State Plan as proposed does present some concerns. The size of the region in which the Sebago Lakes Region Chamber is located in, the Lakes and Mountains Region is quite large. The Plan barely acknowledges the fact that the North Western portion of Cumberland County is included in this Region. In fact on page 33 the Sebago Lakes Region is passingly mentioned without acknowledging St. Josephs College or the Town of Windham, one of the largest communities in the State; and on page 50 7) North Western Cumberland County is not mentioned at all.

The Town of Windham and the RSU14 Adult Education, while I am not speaking for the RSU14, collaborate quite extensively and very well with the vocational schools in Greater Portland, as well as the Southern Maine Community College, does this new alignment do anything to those relationships?

Windham's labor market is tied to the Greater Portland region in large part, although we do get a strong showing from the Sebago Lakes region communities, does this new alignment with the Lakes and Mountains Region alienate both the Town of Windham and the Sebago Lakes Region Chamber from the GP labor market?

In many ways the Town of Windham considers itself having "one foot in the Sebago Lakes Region, and the other in Greater Portland", and that is also true of the Sebago Lakes Region Chamber's catchment area, with "one foot in Greater Portland and the other in the Lakes and Mountains Region". Careful consideration needs to be made as to the advantages and disadvantages that the new alignment will have on our workers, employers, and their combined workforce development needs as the WIA State Plan is implemented.

Thank you very much for your consideration of these comments.

Thomas Bartell **Economic Development Director** Town of Windham, Maine 8 School Road Windham, Maine 04062 Voice: (207) 892-1936 x4 Fax: (207) 892-1910 thbartell@town.windham.me.us www.windhamworksforme.com www.windhammarketplace.com www.WEDCMaine.com

# LEADERS

#### Encouraging Aroostook Development

August 31, 2012

S.W.I.B. SHS 120 Augusta, ME 04330

Leaders Encouraging Aroostook Development (LEAD) Inc. is a non-profit corporation, established in 1986 for the purpose of fostering and encouraging the balanced development of Aroostook County, LEAD is a voluntary membership organization of businesses, educational institutions, communities and private citizens in Aroostook County.

LEAD strongly supports the current workforce investment act local area designation and is committed to ensuring that the proposed State of Maine WIA plan and waiver request that has been presented by the State Workforce Investment Board be denied.

LEAD supports the Chief Local Elected Officials of Maine and the Maine County Commissioner's Association is voicing its strong opposition to the proposed plan and waiver request and respectfully asks the United States Department of Labor to deny any request or proposal that changes the local area designation and programmatic oversight of workforce investment act funding currently under the purview of the Aroostook-Washington Local Workforce Investment Board.

Sincerely,

Jim Davis, Vice President

Jour W. Dieno

Leaders Encouraging Aroostook Development



# Maine Economic Development District Association

Androscoggin Valley Council of Governments; Eastern Maine Development Corporation;
Greater Portland Council of Governments;
Kennebec Valley Council of Governments; Mid-Coast Council of Governments;
Northern Maine Development Commission; Southern Maine Regional Planning Commission

August 30, 2012

State Workforce Investment Board State House Station 120 Augusta, ME 04333

Dear Sir or Madam:

The Maine Economic Development District Association (MEDDA) voted unanimously to oppose Governor LePage's 2012 WIA Strategic Plan, including the Waiver Request for the State Workforce Investment Board to replace the four Local Workforce Investment Boards.

MEDDA was formed in 1994 and is comprised of the seven US Department of Commerce Economic Development Administration (EDA) federally designated Economic Development Districts in Maine, as depicted in our letterhead.

Each EDD is required to develop a Comprehensive Economic Development Strategy (CEDS) for their respective regions which will support communities and regions in their comprehensive, entrepreneurial, and innovation-based economic development efforts. Resulting in increased private investment and higher-skill, higher-wage jobs in areas experiencing substantial and persistent economic distress and enhance the competitiveness of regions.

The geographical boundaries of the EDDs were changed by EDA, upon recommendation of Governor Baldacci, in 2011. The Maine Department of Economic and Community Development worked with the EDA Regional Representative to put together a stakeholder working group to study the issue. The group reviewed the requests and available data, and developed a draft recommendation. The Department then held regional public meetings on the draft in Machias and Belfast, two areas where significant changes were proposed. As a result of the input from those meetings, the working group made adjustments to the proposal (See Attached MEDDA Coverage map).

The working group established the following principles for use in preparing the draft proposal. The new arrangement should:

1. Build capacity: Ensure that each district has a sufficient population and

economic base to be able to generate local resources for economic development;

- 2. Coordinate with other regional boundaries: Overlap with existing regional planning and program boundaries wherever possible in order to reduce confusion among local officials, and to make it easier to jointly administer programs such as workforce development and economic development;
- 3. Reflect economic realities: Bring together areas with common economic characteristics; and
- 4. Reflect local preferences: Follow the natural economic and political lines of communication already in use by local officials in the regions.

EDD's in Maine provide significant services to businesses and communities such as providing loans to businesses, business development assistance, governmental contracting for businesses, technical assistance to manufacturers, GIS mapping, land use planning, transportation planning, project development and monitoring, leveraging private and public financial resources, economic and community development planning and implementation, and workforce training and development to name a few of the services provided. The major economic development players in the state have not been included in the state plan in a meaningful way.

The EDDs in Maine serve all 495 communities covering some 30,865 square miles, they employ over 160 people in many different fields, provide professional expertise on a wide range of topics, operate total loan fund portfolios in excess of \$36 million, and have annual operating budgets in excess of \$25 million.

The EDDs in Maine have not been asked to participate in developing the state plan and when offered were denied. A significant amount of work, analysis, and thought has been expended over the past 2 years to make sure that boundary realignment of the EDDs would result in a more efficient and productive economic development delivery system.

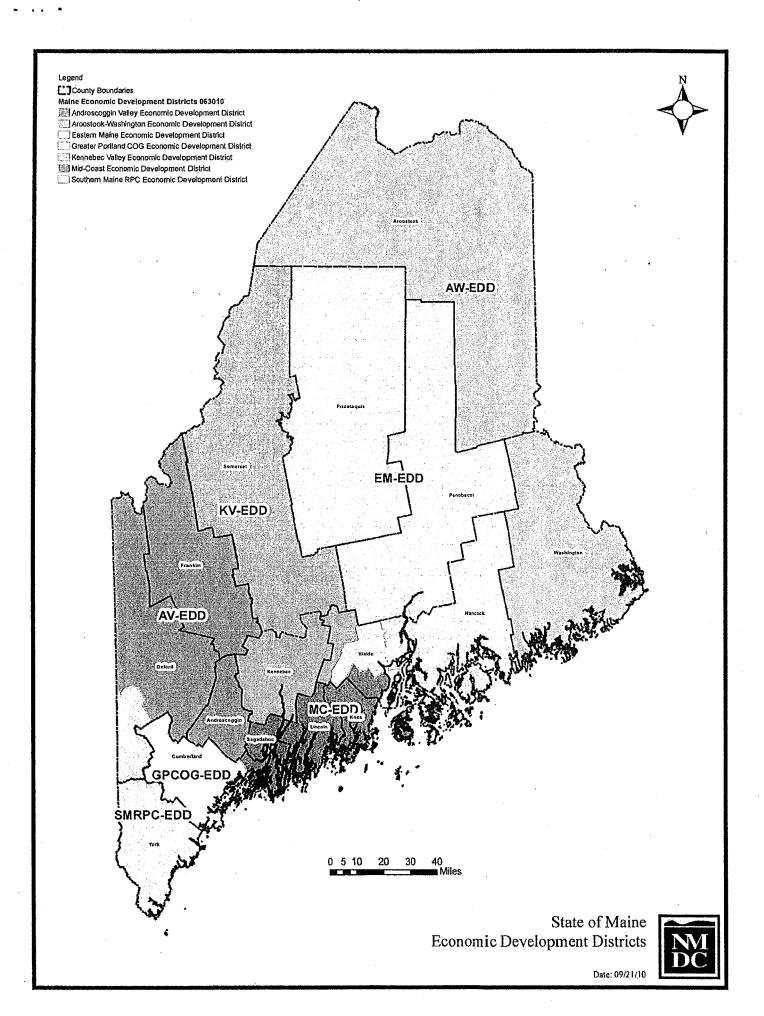
Thank you for your consideration of MEDDA's comments regarding the state plan. If you have any questions or need additional information please feel free to contact me at any time.

Sincerely,

Robert P. Clark

Cobert P. Clark

President



August 29, 2012

State Workforce investment Board State House Station 120 Augusta, ME 04333

Dear Sir or Madam:

Aroostook
Partnership for Progress

The Executive Board of Directors of Northern Maine Development Commission, Inc. (NMDC) have unanimously voted to oppose Governor LePage's waiver request to change the workforce investment delivery system from the current 4 LWIB's to 1 statewide WIB.

The Five Year Strategic Plan and Waiver Request being submitted to the USDOL does not contain any economic and workforce analysis, the plan should interpret and analyze labor market information, which is fundamental to the overall plan. Further, the plan does not take advantage of existing partnerships between economic development and workforce development but rather ignores the regional agencies that have been in existence since 1967 providing these services to businesses and communities.

NMDC provides a wide range of economic and workforce development services in the Aroostook/Washington Workforce Investment Area (AWWIA) and holds the following designations: Maine Regional Planning Commission, Aroostook County Tourism, USDA Rural Empowerment Zone, US Department of Defense Procurement Technical Assistance Center subrecipient, NIST/Maine Manufacturing Extension Partnership sub-recipient, SBA/Maine Small Business Development Center, SBA Micro-loan lender, US Department of Commerce EDA Designated Economic Development District, US EPA Brown-fields Assessment and Re-lender. Maine DOT Rural Transportation Planning Organization, US Census Data Center Affiliate, and an Intermediary Re-lender for the Finance Authority of Maine, US Department of Agriculture Rural Development, and US Small Business Administration. In addition NMDC provides management and clerical support to the Northern Maine Finance Corporation, Aroostook County Tourism, Aroostook/Washington Workforce Investment Board, Aroostook Partnership for Progress, Northern Maine Solid Waste Management Committee, Leaders Encouraging Aroostook Development, Fiscal Agent for the 2014 World Acadian Congress, Aroostook Investment Exchange, several municipal revolving loan funds and the Aroostook Municipal Association. All of these organizations are located at NMDC's offices in Caribou, Maine. The AWWIA has an extensive and effective network and partnership in place that fosters communication, joint ventures, partnering in funding applications, and leveraging each other's assets and resources. NMDC contracts with Sunrise County Economic Council located in Machias in Washington County to provide services in that region for workforce development, busidess assistance, jobs accelerator projects and the Mobilize Downeast Maine initiative.

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www.nmdc.org

The Chief Local Elected Officials (CLEOs) of the Aroostook/Washington Workforce Investment Area (AWWIA) appointed NMDC as their local grant sub-recipient in early 2010 as a result of discussions with Aroostook and Washington County Commissioners. One of the main reasons for moving the sub-recipient from the Aroostook County Administrator's office to NMDC was to better align workforce development with economic and community development. Since that time NMDC leveraged over \$4 million in workforce development funds beyond the WIA annual program funding.

NMDC is designated by the US Department of Commerce Economic Development Administration as an Economic Development District and therefore is required to develop a Comprehensive Economic Development Strategy (CEDS) for the AWWIA which will support communities and regions in their comprehensive, entrepreneurial, and innovation-based economic development efforts. Resulting in increased private investment and higher-skill, higher-wage jobs in areas experiencing substantial and persistent economic distress and enhance the competitiveness of regions. To foster greater alignment between economic development and workforce development the CEDS Committee, required by EDA, is now the AWWIB. This has alleviated duplication of effort, combined workforce and economic development strategies into one AWWIA regional plan, and enhancing communication and strategy development through one comprehensive structure.

Following are specific comments on 2012 Draft WIA State Plan:

Page 1, 3<sup>rd</sup> Par: Governor LePage has stated that "only 20% of workforce funding has been spent on Training\* for participants" The asterisk would indicate that further information regarding this statement would follow. There is no information on how the Administration has computed this 20% nor could they produce such computation when asked.

"Two of the four Workforce Investment Boards had been placed in 'High Risk Grantee' status, based on federal monitoring of their fiscal performance." The Aroostook/Washington Workforce Investment Board (AWWIB) was placed in this status in 2010, subsequently the program was transferred to Northern Maine Development Commission (NMDC) in February, 2010. NMDC has performed very well during this transition and has addressed most if not all deficiencies of the predecessor program administrator.

Page 4, 2<sup>nd</sup> Par, last bullet and last Par: "Increase coordination....." Maine has 7 federally designated Economic Development Districts (EDDs) under the US Department of Commerce's Economic Development Administration (EDA). These districts provide significant economic and community development expertise and assistance to all of Maine's communities. In 2 Districts, Eastern Maine Development Corporation and Northern Maine Development Commission, the federal districts align with the current local workforce investment board regions and are very effective in leveraging and aligning workforce development with economic and community development. In fact, in both these regions the LWIB also serves as the Comprehensive Economic Development Strategy Committee, required by EDA, to develop the region's economic and workforce development plan thereby directly linking workforce development with economic development.

Aroostook Partnership for Progress Re-designating the current four local workforce investment areas to the 8 tourism regions is not based on any economic and labor market information analysis according to the proposed plan. In one of the rural regions of the state known as Aroostook and Washington Counties there are 14 chambers with only 2 that have full-time Executive Directors, the others are part time and primarily volunteer driven. The capacity of rural chambers to convene businesses is very limited, yet the EDDs have over 150 employees with linkages to ALL businesses regardless of membership in a given Chamber. At the last and only meeting in Aroostook County regarding the proposed plan there were only 2 Chamber directors that attended and one of them was not for the proposed involvement of chambers of commerce due to staff limitations. This meeting was called with only 6 business days notice and no accompanying information. The previous administration completed a realignment of the EDDs including economic, population and labor market analysis and made several boundary changes that will better serve the state in delivering economic and workforce development services.

Page 5, 2<sup>nd</sup> Par and last 3 Par: Industry Partnerships are a good tool but these should be expanded to include economic development organization discussions that will align with and complement workforce development goals.

LD 1874 that is referred to only made some name changes and committee structure, I fail to see how it has been "revitalized" through this legislation.

Page 6, 1<sup>st</sup> Par: There are 8 tourism regions in Maine but there are not 8 Chambers of Commerce regions. Not all areas of the state are covered by Chambers of Commerce. The plan is contradictory in that the state wants WIA activities centralized at the state level because of inconsistent program policies developed by four separate boards as well as inconsistent customer service and accountability. Centralizing the 4 LWIBS at the state level, expanding the workforce areas to 8 and involving 68 different Chambers will exacerbate the inconsistencies previously stated. Collectively the Chambers only have a penetration rate of 34% of Maine's businesses. Each region is unique and has special needs that are not inherent in other regions of the state, hence the need for particular polices that address a regions uniqueness, not inconsistencies.

The administration has met 5 times with the SWIB and several times with Chambers of Commerce about the state plan but only once with the Chief Local Elected Officials (CLEOs) during the development of this plan. At that meeting, the CLEOs were not consulted with as required by law.

Page 7, 1<sup>st</sup> Par: The plan states the dates that the SWIB met and that comments and concerns from members and guests were recorded and provided to the Governor. On at least one occasion, NMDC's Division Director of Economic and Workforce Development was not allowed to offer comment or ask questions of the SWIB members.

Page 7, last Par: The plan states that the Governor will designate LWIBs in each area after he has designated local workforce investment areas. If the SWIB will perform the roles of the LWIBs then what purpose will the LWIBs have under this restructured plan? This paragraph states that this plan will reduce administrative cost but no analysis or amount of savings has been

Aroostook Partnership for Progress determined. I submit this proposal will indeed increase administrative costs by increasing the number of regions and utilizing 68 independent Chambers of Commerce for quarterly meeting facilitation. For example, in the AWWIA there are 14 Chambers with 2 full-time Executive Directors, of the 12 Chambers that are part time, usually 1 employee working 20 hours or less without benefits, the capacity does not exist for them to perform the functions the state plan anticipates. They are being asked to disseminate workforce development specific information to various media, i.e. print, electronic, websites, new member packages, and member visitation packages. Collaborative events such as speaking opportunities, i.e. breakfasts, workshops, round tables, and job fairs. Business outreach by conducting surveys and business visitations. If a particular Chamber cannot participate, for whatever reason, then the other Chambers in the region will have to pick up the workload. Chamber Boards will be reluctant, as we have already witnessed, to allow their staff to provide services to another Chamber membership area because of staff and financial resource limitations. The plan also states that the Governor's Account Executives and Career Center Managers will provide technical assistance and support to the Chambers. There are 5 Governor's Account Executives responsible for 16 counties in Maine, the capacity is limited due to extensive travel times from Augusta and little staffing support.

Page 8, last Par: The plan states: In the current configuration, the conversation is dominated by service providers." NMDC is not a service provider but we are the sub-recipient and we strive hard to make sure all parties have an opportunity to participate. We provide presentations on how workforce development leverages and supports economic development and we have good private industry sector input at the meetings. In fact, I don't recall anyone from the administration being present at any of the AWLWIB meetings. It appears the plan is more interested in assisting Chambers with membership than it is with providing meaningful workforce development services and assistance.

Page 9: The plan states that metrics are being developed by the SWIB but these metrics do not currently exist and are arbitrary in their description. I doubt meaningful measurement can be obtained for most of the non-descriptive metrics mentioned.

Page 11: Industry partnerships are critical to advancing workforce and economic development, such partnerships already exist in the AWLWIA and include not only private businesses but economic development agencies, workforce development partners, education, FIRE, and business assistance partners. Maine should build on what already exists, not start anew.

Page 24: The description of Aroostook and Washington Counties is significantly inadequate and inaccurate. ETA's current policy emphases that the workforce system plans encourage states to align their workforce development activities with state and regional economic development plans to ensure that training and employment services support anticipated industry growth and corresponding expected employment opportunities and required skill competencies. In the AWWIA NMDC has undertaken, with our economic development partners such as Sunrise County Economic Council, an asset based economic development strategy that focuses on the region's assets rather than weaknesses and strives to build an economy by building on the assets. For example, NMDC and the Aroostook Partnership for Progress have identified Renewable Energy and Information Technologies as the two clusters that will allow Aroostook County to

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Aroostook Partnership for Progress achieve its economic development goals of increased population, increased wages, increased labor force participation, new job growth at livable wages and reduced energy costs for residential and commercial establishments. This initiative in Aroostook County is known as Mobilize Northern Maine and in Washington County as Mobilize Downeast Maine. This initiative has resulted in NMDC/SCEC receiving a \$2 million Jobs Innovation and Accelerator Challenge (JIAC) grant, 1 of only 20 in the nation, because of our work with asset based cluster development. Within the JIAC, the ETA has provided \$1 million in funding to allow us to train 30 engineers which was identified in our renewable energy cluster as high demand, high wage jobs that are needed to support the cluster work. This could only be accomplished by aligning workforce development with economic development through the AWLWIB's strategic plan and the AWEDD's Comprehensive Economic Development Strategy. Our renewable energy working group alone represents 55 private and public sector businesses/organizations employing some 500 people and the Aroostook Partnership for Progress (APP) is comprised of private sector leaders that invest \$200,000/year in AWEDD cluster development work. We not only have private sector representation and talent but private sector capital that allows us to leverage many different funding sources. These are the kinds of partnerships that allow rural regions like ours to take control of our economy and determine how economic and workforce development will occur.

This plan completely ignores the work of Maine's EDDs, the description does not include any of the initiatives mentioned above because the regional EDDs are left out of the state planning process and discussion. Most of the information contained in this section pertaining to AWWIA is very dated and does not reflect current conditions. The state plan should be based on a thorough understanding of the economic strengths and workforce needs and skills of the state so that strategies will align the best interests of job seekers and employers with the economic future of the state. The above initiative is but one of several economic development projects geared toward workforce development that is occurring in the AWWIA.

Page 33: The economic and workforce analysis describes what has happened in the past and doesn't list any data sources. In Aroostook County the APP has been implementing a Jobs Projection Project that surveyed the top 50 employers in 2012 to determine what types of jobs will be created over the next 5 years and the associated skill requirements. The survey revealed that 35 companies will create over 1,300 jobs over the next 5 years with more than 350 of those jobs in manufacturing and more than 750 in healthcare. This is quite a contrast to the information contained in the plan. The AWWIB has been very engaged in this project and has taken a lead role in data collection.

Page 37, 2<sup>nd</sup> Par: The plan states that the current structure results in inconsistencies in service delivery and policies. Policies and service delivery are tailored to each of the WIBs particular needs rather than one size fits all as proposed in this plan. The four LWIBs also have reciprocity agreements in place to serve all residents regardless of which local area a resident lives in when the need arises to serve a resident in a non-resident local area.



Page 37, 3<sup>rd</sup> Par: The plan states that WIA administrative dollars will be significantly decreased under this proposal but does not offer any dollar amount nor methodology other than doing away with the 4 LWIBS and expanding to 8 regions.

Page 37, 4<sup>th</sup> Par: The plan states that thousands of businesses will provide input directly to the SWIB without filtering through an LWIB. This is contradictory to the functioning of an LWIB and if the Chambers are to gather and report the information to the SWIB then it is not considered a direct reporting relationship with the SWIB as the plan portrays. It would appear to be more efficient and productive to have 4 LWIBs reporting to the SWIB than 68 disparate Chamber organizations.

Page 88: Alignment with regional economic development, this is the only reference to Maine's 7 EDDs and doesn't quantify the services that EDD's provide statewide. In 2010 the US Department of Commerce Economic Development Administration approved a comprehensive boundary change for the EDDs in Maine. The boundary change proposal was developed to ensure that each district has a sufficient population and economic base to be able to generate local resources for economic development; overlap with existing regional boundaries wherever possible to make it easier to jointly administer programs such as workforce development and economic development; bring together areas with common economic characteristics; and follow the natural economic and political lines of communication already in use by local officials in the regions. EDD's in Maine provide significant services to businesses and communities such as providing loans to businesses, business development assistance, governmental contracting for businesses, technical assistance to manufacturers, GIS mapping, land use planning, transportation planning, project development and monitoring, leveraging private and public financial resources, economic and community development planning and implementation, and workforce training and development to name a few of the services provided. The major economic development players in the state have not been included in the state plan in a meaningful way.

Page 108, 10.a: Maine Jobs Council no longer exists.

Thank you for your consideration of NMDC's comments regarding the state plan. We would encourage dialogue between the state, the LWIBs and the EDDs to make even stronger an already effective service delivery system. It is incumbent upon everyone that we do all we can to assist those that need our help and that can only be accomplished by working together.

Robert P. Clark
Executive Director



Linking Workforce and Economic Development in Hancock, Penobscot, and Piscataquis Counties

August 30, 2012

State Workforce Investment Board SHS 120 Augusta ME., 04333

To Whom It May Concern:

I am submitting the following comments in response to the State Workforce Investment Board's (SWIB) recent posting of MDOL's five year strategic plan.

My name is Dan Tremble; I serve as the Vice Chairman for the Tri County Workforce Investment Board (TCWIB), and am currently serving as the Chairman of the Bangor Region Chamber of Commerce and treasurer of Penobscot County. I own and operate 3 businesses in Penobscot county and I am one of 22 business representatives that volunteer to serve on the TCWIB. I have reviewed the State Workforce Investment Board's new strategic plan and on behalf of the TCWIB I am writing to strongly oppose the plan as submitted.

The principal component of the SWIB plan is that the Chambers of Commerce throughout Maine will sufficiently connect workforce services to a wide diverse section of businesses throughout the state is wrong. As the Chairman of the Bangor Region Chamber of Commerce, the State of Maine's second largest Chamber, we are not in favor of the proposed strategic plan and do not support the idea that the Chambers will be able to effectively serve as the business connector. In fact recently due to budgetary challenges Unum and Hannaford were forced to resign their membership with the Portland Chamber of Commerce. These two businesses represent hundreds of employees in the state. Maine is made up of primarily small businesses, many of which do not belong to their local Chamber of Commerce. The Chambers are a membership based organization and the members that pay dues expect that the Chamber will work for their benefit. And for those that do join, unfortunately, time to run your business and the schedules of these business owners, prevent them from being able to carve out time from their schedules to attend and participate in chamber events and activities as much as they would like. We do believe that the workforce system could all benefit by a stronger relationship between the Chambers and the local workforce investment boards in Maine. My participation on the TCWIB is an example of the Bangor Region Chamber of Commerce's commitment to our regional workforce development.

In 2009 the TCWIB took a step towards serving all businesses in our area when we aligned our workforce development with economic development and selected Eastern Maine Development Corporation to serve as our WIA provider and One Stop Operator. Since July 2009 EMDC has served over 2,218 businesses and provided 11,718 counseling sessions to businesses. While conducting these sessions the EMDC Business Specialist informs the business about the workforce system and provides direct connection to the job seekers. These businesses are served through the Procurement and Technical Assistance program, the Disadvantaged Business Enterprise program, and EMDC's Business Development Services.

Secondly, the TCWIB has thoroughly discussed and understands that according to the WIA regulations our Chief Local Elected Officials play a big role in deciding to keep Maine's workforce structure intact or not. Our CLEO Board has sent several statements to both USDOL and the State of Maine's Administration stating that they

are opposed to restructuring the current workforce delivery system in Maine. The CLEO's have never agreed to the new structuring of the system. The most recent CLEO Board correspondence was sent Friday August 24, 2012. The TCWIB has worked in partnership with the CLEO Board to assure that we are addressing critical issues affecting our job seekers and businesses.

We have further extended our work to regional groups including Eastern Maine Development Corporation, Mobilize Eastern Maine (MEM), Bangor Region Chamber of Commerce, Action Committee of 50, Maine Gateway, Bangor Region Convention and Visitors Bureau and the Bangor Region Development Association.

We know that the key to the success of any business, small or large, is their employees. The workforce capacity, quality and productivity are the critical factors in expansion and growth. Certainly, technology and capital are important, however, absent a quality workforce, small business has limited options for growth. Our focus has been on getting our job seekers back to work often with these small employers either through effective job training, further education or direct job placement.

Through the Mobilize Eastern Maine (MEM) network, Eastern Maine Development Corporation, (EMDC), the Bangor Region Development Association (BRDA) and the Tri-County Workforce Investment Board, (TCWIB) work cooperatively to insure both businesses seeking to come to the area and those "native" businesses seeking to grow and expand in the area have access to a quality workforce.

In addition, the TCWIB and EMDC service area is a rural area of Maine. We have worked very hard to establish access points to deliver the service by having satellite offices in Millinocket, Dover-Foxcroft and Ellsworth as well as Bangor. We also have develop very unique use of communications networks and social media to insure access to services.

The Tri-county Workforce Investment Board (TCWIB) is a key partner in this collaboration. This is a direct result of the TCWIB's decision to align workforce and economic development. This volunteer group, appointed by the County Commissioners from Penobscot, Hancock and Piscataquis counties, is made up of private sector business leaders, educators, organized labor, community based groups, government agencies and economic development entities. We take our charge by the U.S. Department of Labor to develop local and regional plans for workforce development quite seriously. Working with EMDC, the TCWIB now develops a regional comprehensive economic development strategy (CEDS) that identifies business cluster development projects with the focus of job creation and career paths for the region. This is not happening anywhere else in the State of Maine. This again is a direct result of local decision making. Since 2009 under the new unique model the tri county region has averaged significant gains in our WIA program outcomes including increasing the number of served (25% higher); higher number of persons placed in employment (32% higher) and improving average wages at placement (13% higher).

The Workforce Investment Board through its service provider delivers financial and human resource services directly to workers being displaced from declining industries and sectors, youth in need of their first opportunity to work and develop the competencies that employers need, older workers who need to extend their work-lives by learning new skills to go along with their well-deserved reputation for a strong work ethic and reliability, veterans who are returning to the civilian labor market and who need assistance to translate their skills into private employment sectors, individuals with disabilities, individuals transitioning from welfare to work and others who may need only an opportunity to demonstrate their value and abilities to employers. For the past three years, in the depths of the most severe recession in memory, this collaborative network has worked effectively to assist hundreds of local residents obtain the education, training and supports needed to prepare them for the jobs now being created by the region's businesses in health care, construction, IT, business, transportation and other growing career fields. These workers are making extraordinary efforts to re-tool their knowledge and skills to ensure that they can support themselves and their families in jobs that provide a middle class standard of living.

As previously stated by the TCWIB, we constantly look at ways to increase connections between businesses and a ready workforce. We have worked diligently with our local partners to reinforce our economic growth in Penobscot, Piscataquis and Hancock Counties endorsing and supporting EMDC's initiative to reach out to all businesses in the three counties.

The TCWIB firmly opposes the SWIB's plan to restructure the workforce system, eliminating the local workforce investment boards.

Sincerely,

Dan Tremble

Vice Chairman of the Tri County Workforce Investment Board

Business Owner, Fairmount Market, Ground Round Restaurant, and Pepino's Restaurant

## Ħ

#### Freund, Richard

From: David Ciullo [dciullo@cmacareer.com]

**Sent:** Friday, August 31, 2012 9:31 AM

To: DOL, SWIB

Subject: Comments on the 2012 Draft WIA State Plan

After reading the 2012 Draft WIA State Plan Executive Summary and highlighted benefits, I am pleased to say that I support it as a positive, realistic and comprehensive approach to a real problem. The process in place today is simply not working. Too many of our citizens do not have the needed skills to fill "today's jobs". This must change.

At Career Management Associates we see the need for this change daily. We work with companies and organizations that are struggling to find great skilled talent and many times we have to go out of state to fill positions that should be able to be filled locally. We also work with individuals that have lost their jobs and we hear of the desire to want to learn and get retrained so that they can live in Maine and support their family.

This plan is not the full solution but it a pro-growth plan for both business and for the individual people of Maine. It needs to be supported and implemented as soon as possible.

David Ciullo President <u>dciullo@cmacareer.com</u>

C: 603.303.6124 O: 207.780.1125

Main Office: 465 Congress Street, Suite 600, Portland ME 04101







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53



August 31, 2012

State Workforce Investment Board State House Station 120 Augusta, Maine 04333

I am writing in opposition to the State Workforce Investment Board's Plan and the request for a waiver.

As President and Chief Executive Officer of Penquis C.A.P., Inc. I serve as a member of the Tri-County Local Workforce Investment Board (TCLWIB), a member of the Bangor Chamber of Commerce and my organization frequently partners with Eastern Maine Development Corporation. I am very aware of the high quality and quantity of workforce development services provided in our region.

My opposition to the Plan and the Waiver is, quite simply, that the groundwork hasn't been done to ascertain that the old system needs improving and that the new system can accomplish that.

Contrary to statements in the SWIB Plan and Waiver Request, communication and opportunity for input by the Chief Local Elected Officials, the LWIBs, the workforce development community and the Chambers of Commerce was cursory or non-existent.

The Chief Local Elected Officials are strongly opposed to the plan and waiver request and have repeatedly expressed their frustration with a process that has ignored local input. The LWIBs are opposed and feel the entire assessment of the current system's cost and performance is based on incorrect information and misinterpretation. The Chambers which are supposed to be primary partners in the new system are either opposed or lukewarm to the proposed changes.

Without these groups full engagement in the Plan development process, without their input and agreement on the facts and the assumptions, the Plan will remain highly speculative and at great risk of failure.

The victims of that failure will be the people who are being successfully trained and placed in jobs by the current system and the businesses that rely on the current system to provide them with trained, skilled workers.

Maine's workforce development services are working very well right now and the need for this sudden, ill-considered change does not exist. Approving this Plan now will be counterproductive to the Governor's stated intentions.

I encourage the denial of the Plan and the Waiver request until a lot more work, following a much more open process for plan development, is done.

Sincerely,

**Charles Newton Chief Executive Officer**  262 Harlow Street PO Box 1162 Bangor, Maine 04402 www.penquis.org

(207) 973-3500 Fax (207) 973-3699 TDD (207) 973-3520 1-800-215-4942

# M.C.C.A.

#### MAINE COUNTY COMMISSIONERS ASSOCIATION

Amy Fowler, President Waldo County

Steven Joy, Vice President **Hancock County** 

Gary McGrane, Secretary-Treasurer Franklin County



4 Gabriel Drive, Suite 2. Augusta, ME 04330 207-623-4697

www.mainecounties.org

August 31, 2012

S.W.I.B. S.H.S. 120 Augusta, ME 04333

To Whom It May Concern:

The Maine County Commissioners Association (MCCA) is very troubled by the proposed State Workforce Investment Plan and waiver request that is currently under consideration by the United States Department of Labor.

Maine's current legal designation of four local areas was agreed upon through a collaborative process of the Maine County Commissioner's Association, the Maine Jobs Council, the Maine Department of Labor and the United States Department of Labor. The current configuration has been in place since 2000 and we believe it best serves the needs of job seekers and employers in our state.

Any changes to the workforce development system should be accomplished through a similar process that was followed in 2000 and should involve the Chief Local Elected Officials in each of the regions. We respectfully request that the current proposed State WIA plan and waiver request be denied by the United States Department of Labor.

The MCCA remains committed to achieving a system that best serves our State and would hope that any future proposals that are to be developed include MCCA and the Chief Local Elected Officials throughout the process.

Sincerely,

Amy R. Fowler, President

Maine County Commissioners Association

4 Gabriel Drive, Suite #2 Augusta, Maine 04330

Tel: 207-623-4697

55

Senator Troy Dale Jackson 3 State House Station Augusta, ME 04333-0003

> 167 Allagash Road Allagash, ME 04774 Home (207) 398-4081 Cell (207) 436-0763

August 29, 2012

SWIB State House Station 120 Augusta, Maine 04333

To Whom it May Concern:

I am writing in opposition to Governor LePage's plan to transform the delivery of job training funds and services in Maine, and urge you to reject his Administration's request for a waiver from federal regulations.

In evaluating the Governor's proposal, the basic question to ask is simply, why? The current system of administering federal job training services in Maine is clearly working and has broad support from employers throughout the state. The Local Workforce Investment Boards have years of experience in navigating complex federal regulations and in acquiring additional grants to supplement badly needed job training funds. Those skills will disappear under the plan proposed by Gov. LePage, jeopardizing millions of dollars in job training funds and services.

What's more, there is no question that the governor's plan removes local control over the administration of job training funds. I believe this is at odds with the requirements of the federal Workforce Investment Act that emphasizes local control over a single-state delivery model, which is what Gov. LePage is proposing. Utilizing the local Chambers of Commerce in his plan also raises questions of propriety and conflict of interests. Will businesses that are not Chamber members be given equal consideration for job training assistance?

The figures that have been provided to me clearly show that Maine's current job training system is working, and there is simply no justification for discarding years of expertise and efficiency for a top-down proposal that was drafted without any input from the very groups and individuals that are on the front lines providing job training and workforce development skills on a daily basis.

I therefore urge you to reject the Governor's plan and his request for a waiver from federal regulations.

Sincerely

Troy Jackson State Senator

TTY (207) 287-1583 \* Message Service 1-800-423-6900 \* Web Site: legislature.maine.gov/senate email: jacksonforsenate@hotmail.com

125th Legislature Senate of Maine Senate District 10 Senator Stan Gerzofsky 3 State House Station Augusta, ME 04333-0003 (207) 287-1515

> 3 Federal Street Brunswick, ME 04011 (207) 373-1328

August 29, 2012

SWIB State House Station 120 Augusta, Maine 04333

To Whom It May Concern:

I am writing with respect to the State WIA Plan of 2012 and waiver request.

In Maine, our Local Workforce Investment Boards have achieved a record of success in preparing thousands of jobless workers with the skills and experience that the state's employers now require. These training services must continue, uninterrupted, while the state and the nation continue to recover from the worst recession in decades.

In District 10 we have had an added complication to this recession with the recent closure of Brunswick Naval Air Station. Fortunately we have had Coastal Counties Workforce, Inc. (the Local Workforce Investment Board) looking out for this region by engaging service providers and partners in developing needed programs for affected employers and citizens. Coastal Counties Workforce, Inc. has obtained millions of dollars over the past 5 years to make certain that a smooth transition could be made by this community and broader region. Their efforts have most definitely made a difference in helping thousands of Mainers get the workforce skills they needed to obtain viable employment at good wages.

The governor's plan would eliminate a proven agency that emphasizes local collaboration and creates direct partnerships with area businesses and instead, replace it with one that essentially consolidates control and authority within the bureaucracy in Augusta.

The bottom line is that the governor has offered no credible justification for dismantling the state's proven job-training delivery system in the midst of the current recession. Furthermore, the governor's proposal was developed with no real input from the individuals and groups that have been working the front lines providing job training services for years.

As with any system, improvements in the current delivery system may be needed, but should only occur with the input and consultation of those who know and understand the system best.

For these and other reasons, I do not support Governor Le Page's request for a waiver from the requirements of WIA that would allow him to implement his plan and re-designate the state's local workforce areas. His proposal is ill-informed and ill-timed, and will seriously compromise job training services for Maine's unemployed and under-employed workers.

Sincerely,

Stan Gerzofsky

Senator - District 10

125th Legislature Senate of Maine Senate District 14 Senator John L. Patrick
3 State House Station
Augusta, ME 04333-0003

206 Strafford Avenue Rumford, ME 04276 Home (207) 364-7666

August 29, 2012

SWIB State House Station 120 Augusta, Maine 04333r

To whom It May Concern:

I am writing to urge you to deny Governor LePage's request for a waiver from federal regulations to completely reorganize the implementation of the Workforce Investment Act in Maine. The Governor's request is based on misleading information and is part of his goal to consolidate functions and funding sources throughout state government under his control.

The problem in Maine is not job training and workforce development; it is the lack of jobs in Maine. With 53,000 unemployed and the only state in New England to experience a net loss of 1300 jobs in 2011, Maine ranks 45<sup>th</sup> in the nation with respect to job growth.

The Workforce Investment Boards in Maine, with one recent exception, have worked extremely well. In fact, Maine's Workforce Investment Act performance rates are in the top ten states nationally in several areas of performance.

The regional boards know the jobs and skill needs of businesses in the region better than anyone or any entity. The Governor does not know each region's labor needs or the relationships that have been created among businesses, labor, and state agencies. Each regional board has developed working ties with various businesses and employers as well as training entities in their respective regions. Workforce investment Act funds contribute significantly to the successes of the Maine Career Centers, businesses, and the economy of each region.

The Western Workforce Investment Board, including Oxford County, which I represent, has had some difficulties. This region has suffered from high unemployment, limited jobs, and businesses facing severe national and international competition.

The paper industry, which is a significant economic engine in the region, is facing bankruptcy in one case, and severe price competition from Canada and other international firms. Several Maine Paper companies have down-sized significantly.

Instead of revamping the entire Workforce Investment Act operation in Maine, the Governor should be looking at the other three very successful regions and adapting the measures that have succeeded in those regions to the Western region.

In closing, it is my opinion that the Governor's request to obtain U.S. Department of Labor waivers from the regulations and provisions of the Workforce Investment Act is unwarranted and part of a partisan agenda.

Thank you for your time and consideration of this matter.

Sincerely,

John Patrick State Senator

Senate District 14

185th Logislature Senate of Maine Senate District 8 Senator Justin Alfond Assistant Democratic Leader 3 State House Station Augusta, ME 04333-0003 (207) 287-1515

> 134 Sheridan Street Portland, ME 04101 Cell (207) 232-4187 Home (207) 828-0277

August 29, 2012

SWIB State House Station 120 Augusta, Maine 04333

To Whom It May Concern,

After much consideration, I am writing in regards to the State's 2012 Workforce Investment Act (WIA) plan and waiver request. I urge the U.S. Department of Labor to reject the Governor's plan, including his request for a waiver.

In today's political climate, legislators often only hear one side of an issue. In my role as the Assistant Minority Leader in the State Senate I've made it a priority to listen and understand both sides of an issue before making decisions.

With this backdrop, when I first learned of the WIA plan and waiver request, I contacted Mr. Garrett Oswald, the Director of Maine's Workforce Investment Board. Mr. Oswald shared the history of the Local Workforce Investment Boards (LWIBs), his rationale for its restructuring, and the proposed new model. Mr. Oswald repeated numerous times that impetus for this restructured plan was a "skills mismatch"—meaning that LWIBs were not meeting employers' needs, to which he provided examples. During the course of the conversation, there was one startling fact: according to Mr. Oswald, the state's four LWIBs spend only 15.5% of their federal dollars in actual job training. This assertion perplexed me very much. Before ending the call, I asked Mr. Oswald about my region's workforce investment board, Coastal Counties Workforce Inc. (CCWI). He gave glowing remarks to Mr. Michael Bourret and said that CCWI did an excellent job meeting its goals.

My next call was to Mr. Michael Bourret of Coastal Counties Workforce, Inc. (CCWI). Mr. Bourret shared CCWI's history, its successes, strengths and areas of improvement. He described in detail CCWI's collaboration with businesses, including working with businesses to understand their workforce needs – a process he termed, "their-demand side initiative". Additionally, he mentioned CCWI's high success rate in obtaining grants that ultimately allow CCWI to leverage additional dollars for their programs; he cited a recent \$5 million STEM grant awarded to train and connect workers with compatible employers. Still confused by the 15.5% figure cited by Mr.

Fax: (207) 287-1585 \* TTY (207) 287-1583 \* Message Service 1-800-423-6900 \* Web Site: legislature.maine.gov/senate

Oswald, I asked Mr. Bourret for clarifying information. Reminding me of the strict standards LWIBs must adhere to because their federal funding is contingent upon federal compliance, he explained that under federal Workforce Investment Act regulations, all four LWIBs can allocate no more than 10% to administrative costs.

According to Maine Department of Labor information, in 2011, \$9,196,936 was received by Maine for WIA, the state took 5% or \$459,847, the four LWIBs received 10% or \$919,693 which was used for LWIB administration and \$7,817,396 (85%) was used for job training programs. To emphasize the stringency of federal compliance, Mr. Bourret said, "Senator, we would not continue to get the federal funds if we violated federal regulations."

Lastly, I asked Mr. Bourret if the training provided by the LWIBs was industry driven. Mr. Bourret stated that under the federal Workforce Investment Act, cannot target its funds to only employers' needs, but rather it has to work with <u>all</u> unemployed people. He then went on to explain the three criteria that all LWIBs must meet when working with an unemployed worker.

With a well-rounded complement of information, I write with these concerns and comments:

- It appears that the state of Maine is expending a lot of resources to revamp the state's job training services;
- It appears that the Governor and staff are not interested in learning from and modeling existing successful but rather dismantle the good with the bad;
- It appears that the Governor and staff are basing their decisions on faulty data and erroneous information as justifications for change;
- It appears that the Governor's newly proposed state consolidated system will not have the expertise to bring in federal grants and dollars;
- It appears that local control could be lost if the state assumes centralized control of the job training funds.

These are just a few of the reasons why I am urging the U.S. Department of Labor to reject the Governor's plan along his request for a waiver from federal regulations. There is simply no reason to upend the existing partnership between area businesses and Local Workforce Investment Boards that are helping to put Maine people back to work.

Sincerely,

Senator Justin L. Alfond

Senate District 8



The voice of Maine business

August 30, 2012

Governor Paul LePage 1 State House Station Augusta, ME 04330

RE: Maine State Chamber of Commerce Comments on Workforce Investment Act State Strategic Plan

Governor LePage:

Please accept this letter as the Maine State Chamber of Commerce's comments to the Maine Department of Labor 2012 Workforce Investment Act State Strategic Plan. The Maine Department of Labor has done a great job in preparing and presenting the plan to help ensure that Maine has a robust workforce development plan for years to come.

The state strategic plan as is currently drafted takes into consideration the mission of the local/regional chambers of commerce. Maine's local chambers of commerce serve as the voice of Maine businesses and are in constant communication with their members who are Maine's business community. The strategic plan proposal to use the local chambers of commerce as conveners and facilitators in regards to identifying the need for specific local job training and the skills gap in their regions is a natural fit.

Secondly, as a State, we always want to ensure that as many workforce training dollars make it directly to the workers we need for today and tomorrow. The draft strategic plan not only recognizes this fact but attempts to ensure that funding for job training gets into the hands of Maine's workforce that needs it most. Incorporating the local/regional chambers of commerce into the workforce investment strategic plan over the next four years will not only enhance the communication statewide to help direct the money to workforce skills development, it will help the funds to be disbursed equally across the state.

Lastly, it is important to recognize that the draft strategic plan does not diminish any other economic development roles that currently exist – nor should it. All economic development entities throughout all the municipalities, counties and regions in the state are invited to participate in this proposed plan. Maine's economic development network is vital to the future of our state and we need to continue to support it while always improving on what is in place. The more of us that work together can only better enhance moving the state forward and addressing the pressing need of the workforce skills gap that we see being a detriment to our future successes as a state.

Thank you for bringing this plan forward, the Maine State Chamber of Commerce stands ready to work with you and your staff to ensure that Maine's workforce is and continues to be world class. If you have any questions please feel free to contact me at 623-4568 ext. 103.

₹ēst regards.

Lina Connors

President

# Freund, Richard

From:

Administrator [administrator@sagcounty.com]

Sent:

Friday, August 31, 2012 12:21 PM

To:

DOL, SWIB

Cc:

Michael Bourret

Subject:

Comments on 2012 WIA Strategic Plan

Attachments: Letter re WIA.doc

Attached please find comments from Sagadahoc County Commissioner Carol Grose.

Pamela A. Hile Sagadahoc County Administrator 752 High Street, Bath, Maine 04530 Tel: 207-443-8202; Fax: 207-443-8213 administrator@sagcounty.com

# COUNTY OF SAGADAHOC, MAINE ADMINISTRATIVE OFFICES

ALAN J. HOUSTON
DISTRICT 1
BOWDOIN & TOPSHAM

CAROL A. GROSE

DISTRICT 2

BOWDOINHAM, GEORGETOWN, PHIPPSBURG
RICHMOND & WOOLWICH

LAWRENCE M. DAWSON
DISTRICT 3
ARROWSIC
BATH & WEST BATH

PAMELA A. HILE COUNTY ADMINISTRATOR administrator@sagcounty.com Phone: (207) 443-8202 Fax: (207) 443-8213



ROBIN DAYTON
DEPUTY ADMINISTRATOR
rdayton@sagcounty.com
Phone: (207) 443-8202
Fax: (207) 443-8213

August 30, 2012

S.W.I.B. State house Station 120 Augusta, Maine 04333

Dear Sirs and Mesdames:

I am writing to provide comments on the State Workforce Investment Plan of 2012.

Pursuant to TEGL 37-10, one of the factors allowing a state's authority to designate or re-designate Local Areas can occur "[w]hen a local area, specifically the chief elected official, voluntarily agrees to re-designation. The local area, the state workforce investment board, or the governor may propose a local area re-designation." Per our letter of Feb. 15, 2012 to J. Oates, we are on record for not being in agreement.

Irrespective of the eight Chamber Regions which apparently are intended to replace the four local areas, Governor Le Page's plan is clearly to devise a "single state delivery system" which neither the WIA nor its regulations allow unless specific conditions are met:

Per 20 CFR § 661.250 (d), The Governor of any State <u>that was a single service</u> <u>delivery area</u> State under the Job Training Partnership Act as of July 1, 1998, <u>and only those States</u>, may designate the State as a single local workforce investment area State. (WIA sec.116.)(Emphasis added).

USDOL's own comments on § 661.250 (d), state "We interpret section 116(b) as limiting single local area designations to only those States which were designated as a single service delivery area State under JTPA, as of July 1, 1998. Section 661.250 is revised to by adding a new paragraph (d) to specifically authorize Governors of States which were single service delivery area States under JTPA, as of July 1, 1998, to designate the State as a single local workforce investment area. (Emphasis added).

Moreover, TEGL 37-10 specifically clarifies the Code of Federal regulations on point and remarks on the "...language that has been included in DOL Appropriations Acts since FY 2006..." which re-enforces the DOL's limitations on administrative action e.g., approving a waiver request by the Governor of a state, that would have the effect of modifying the re-designation of local areas.

The relevant language from the Appropriations Acts is as follows: The Secretary of Labor shall take no action to amend, through regulatory <u>or</u> <u>administration action</u>, the definition established in section 667.220 of title 20 of the Code of Federal Regulations for functions and activities under title I of the Workforce Investment Act of 1998, or to modify, through regulatory or administrative action, the procedure for re-designation of local areas as specified in subtitle B of title I of that Act (including applying the standards specified in section 116(a)(3)(B) of that Act, but notwithstanding the time limits specified in section 116(a)(3)(B) of that Act)..." (Emphasis added)

I cannot support such deconstruction of an effective system especially when the proposed solution centralizes control of local decision-making in Augusta. This is simply the wrong approach for Maine.

Sincerely,

Carol A. Grose Vice Chair, Board of Commissioners

#### Freund, Richard

From:

Michael Aube [MAube@emdc.org]

Sent:

Friday, August 31, 2012 12:25 PM

To:

DOL, SWIB

Subject: comments on SWIB

40 Harlow Street Bangor, ME 04401 207.942.6389 1.800.339.6389 Fax 207.942.3548 www.emdc.org

August 27, 2012 State Workforce Investment Board SHS 120 Augusta, ME 04333

# To Whom It May Concern:

The Board of Directors of Eastern Maine Development Corporation (EMDC) unanimously oppose Governor LePage's request for a waiver to change the current delivery process of the Workforce Investment Act (WIA) and Wagner-Peyser activities in the State of Maine.

EMDC, as the federally designated economic development organization for the U.S. Department of Commerce Economic Development Administration in the tri county service area, strongly objects to this plan because it replaces local and regional decision making with a centralized state model that does not link the assets, programs and organizational networks that support more effective leveraging of federal funds through local support.

In 2009, EMDC partnered with workforce development to increase the number of individuals who receive guidance, support and training. This model works to insure that the skill set of dislocated individuals is advanced to meet market demand for jobs that exist in business and industry. Working with business leaders, labor and educational institutions, EMDC has designed and delivered a unique model that prepare job seekers with skills that the existing and emerging economic sectors of our region require.

The significant progress of this process is demonstrated in the matrix below:

In addition, EMDC has linked many other state and federal programs that provide service to businesses within the delivery framework in order to increase participation in the design of job training with a focus on business needs, growing career opportunities and small business retention and growth.

Specifically, EMDC has taken the following actions:

- Through the Comprehensive Economic Development Strategy (CEDS): EMDC is one of a few federal designated districts in the nation that directly tie the CEDS to the goals of the regional, locally based Workforce Investment Board. This enables us to obtain meaningful results in the leveraging of public and private investment.
- Through EMDC's Maine Procurement and Technical Assistance Center, funded in part by the U. S. Department of Defense and the Maine Department of Community Development (DECD): More than 586 active businesses who wish to do contract and subcontract work with the government have been made aware of the workforce programs and individuals seeking new skills.
- Through EMDC's Disadvantaged Business Enterprise Center, funded in part by the U. S. Department of Transportation, minority owned and disadvantaged businesses: More than 70 businesses have been made aware of the workforce options.
- Through EMDC's small business lending program that provides credit for new and growing small businesses: EMDC is able to offer reduced rates and terms for businesses that choose to partner with the workforce program when expanding or looking for new workers. Currently more than 134 businesses take part in this program.

The new "chamber regions", as designed in the state's plan, would structurally modify our current service area that is based upon traditional partnerships and common existing and emerging economic sectors.

As a region that has stepped forward to build partnerships and working networks of business, labor, communities, institutions and economic development organizations, we are very concerned that this unique and effective model will be lost under a new plan. We fear a fall back to singular, stovepipe efforts instead of one where the effort to design, develop and deliver the full complement of resources for the fulfillment of the region's asset based development strategy is shared.

Not only would the workforce component of our strategy effort be lost, the state plan would also significantly and adversely affect the other economic development program deliverables.

Moreover, because our region, as are most in Maine, is dependent upon small businesses for jobs and economic growth we feel that the centralization of decision and resource allocation done without input from our region, will result in less collaboration and lost opportunities to advance economic vitality and diversification in our communities. The Board of Directors also strongly objects to the process that has been used to develop the plan as submitted.

Despite repeated attempts to share our thoughts, concerns and unique model with the

Maine DOL and the newly constituted State Workforce Board, we were denied participation. We believe in the development of policies and the delivery of programs that are effective, meet the desired goals of private sector job creators, are transparent of the public expenditures and, equally as important, include broad participation in dialogue to achieve those objectives. The current process to request this waiver and establish a new strategic plan has failed to meet that test.

Finally, current economic times are extremely challenging in our region. We need to work together, not separately, to achieve results. We are committed to expanding our identified economic sectors, building and retaining business, and providing skill training that leads to careers in our region. We will leverage every dollar and resource we have to achieve that goal.

We do not believe that the plan, as presented by the State of Maine, will be successful. We commit ourselves to working with the Governor, entities of state government, such as the MDOL and our partners to design a plan that meets the objectives.

Sincerely,

Michael W. Aube

President

Eastern Maine Development Corporation

On behalf of the Board of Directors of Eastern Maine Development Corporation



Michael W. Ash

Michael W. Aube President

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#### Freund, Richard

From: James R. Westhoff [WesthoffJ@husson.edu]

Friday, August 31, 2012 2:02 PM Sent: To:

DOL, SWIB; jrussell@emdc.org

Subject: Comment Regarding Proposed SWIB Plan

Maine's current workforce system, that is operated by local workforce investment boards making decisions for the businesses and individuals in their local areas, is working in the Tri County region of Penobscot, Piscataquis and Hancock counties. I do not support changes to the implementation as suggested by the Governor's proposal and feel that any structural changes would be detrimental to progress in our region and in our state.



# Aroostook & Washington Workforce Investment Board

September 2, 2012

S.W.I.B. SHS 120 Augusta, ME 04333

We are the Chief Local Elected Officials (CLEOs) serving Aroostook & Washington Counties, Maine. We are opposed to the proposed State of Maine WIA plan and waiver request that has been developed by the State Workforce Investment Board.

We are particularly concerned regarding the fact that it is reported in the plan that on February 7, 2011, the Governor consulted with the Chief Local Elected Officials regarding the proposal to re-designate Maine's local workforce investment areas.

In fact, the CLEO's did meet with Governor LePage, however, the meeting was anything but a consultation. It lasted approximately 20 minutes whereby the CLEO's were informed of the Governor's desire to re-designate the local areas and constitute the oversight of WIA formula funding from the Local Workforce Boards to the State Workforce Board. Maine's CLEO's did not agree with this plan and in fact have gone on the record to state our opposition to any changes and furthermore we support keeping Maine's current configuration of four local workforce areas. (See resolution, attachment A).

We encourage the United States Department of Labor to deny the waiver request and state plan and ask that you continue to support the current designation that has been in place since 2000 recognizing four local workforce investment areas in the State of Maine.

Sincerely,

Christopher Gardner, CLEO

Washington County

Norman L. Fournier, CLEO

Aroostook County

February 15, 2012

Jane Oates, Assistant Secretary of Labor USDOL, ETA Francis Perkins Building 200 Constitution Avenue N.W Washington, DC 20210

**Dear Assistant Secretary Oates:** 

As the State of Maine's locally elected officials for the Workforce Investment Act (WIA) we are contacting you with the hope that you will be able to assist us with an urgent matter:

We are universally opposed to any action that would terminate the existing composition, structure and implementation of Maine's workforce system. A resolution was adopted in November by the Chief Local Elected Officials for the 16 counties in the State of Maine and agreed unanimously to keep the designation of the Local Workforce investment Boards in place as they exist today; and, have existed since the implementation of the Workforce investment Act (WIA). The following is the Resolution that was adopted by the CLEO members in November:

"The chief local elected officials support the current legal designation of the four local areas in Maine that was agreed to in the year 2000 through a collaborative process among Majne's County Commissioners, the Maine Jobs Council and the Governor and recognized by the United States Department of Labor and we do not support any attempt at redesignation."

Respectfully yours,

Norm Fournier, CO-CLEO

Local Area 1

**Aroostook & Washington Counties** 

Chris Gardner, CO-CLEO

Local Area 1

Aroostook & Washington Counties

Tom Davis, CLEO

Local Area 2

Penobscot, Piscataquis & Hancock Counties

Gary McGrane, CLEO

Local Area 3

Oxford, Androscoggin, Franklin, Kennebec & Somerset Countles

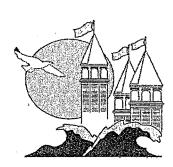
Rick Parent, CLEO

Local Area 4

York, Cumberland, Sagadahoc, Lincoln, Knox & Waldo Counties

#### OLD ORCHARD BEACH

Chamber of Commerce



September 01, 2012

To Whom It May Concern,

This letter is to notify you that on Monday, August 13, 2012, the Board of Directors of the Old Orchard Beach Chamber of Commerce voted unanimously to support the 2012 Workforce Investment Act State Strategic Plan set forth by Governor Paul Lepage. We look forward to assisting in the three key elements of the plan creating local and statewide partnerships in order to determine the business workforce needs of our community. We believe that this falls within the existing mission or our organization and allows us another opportunity to reach out to our members should they have issues with hiring skilled workers.

It was not without much forethought and planning that we made this decision. I, as have many other chamber directors, attended numerous meetings with the Governor and his department heads to familiarize myself with what exactly the State expectations would be regarding our commitment. The State WIA Strategic Plan was explained and it was made clear to us that the chambers are not replacing the LWIBS or their program of work. The State understands that who better to communicate to local businesses than the local Chamber of Commerce. We do this on a daily basis providing information and support based on the concerns and needs of the businesses.

It is my sincere hope that by Chambers of Commerce working closely with the State WIB and DECD account executives plus all other stakeholders, we will accomplish the goal of putting more trained, skilled individuals back in to the workforce. The jobs are there and we need to provide the funding and education component to qualified individuals who are anxious to be employed in an occupation they find fulfillment and take personal pride in.

Sincerely,

James E. Harmon President & CEO

#### Freund, Richard

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From: Avery Olmstead [averyolmstead@gmail.com]

Sent: Friday, August 31, 2012 2:53 PM

To: DOL, SWIB

Subject: Reaction to Maine State Workforce Investment Board's 2012 State Strategic Plan....

To the Members of the State Workforce Investment Board,

My name is Avery Olmstead and I live in Old Town, Maine. I happen to use a wheelchair due to Cerebral Palsy. I'm 41 years old and over the course of my life. I have worked very hard to earn a Bachelors and Masters degree. Unfortunately, for many reasons outlined in the S. W. I. B. Report, I've been unemployed or underemployed most my life. I do have a job currently, which I enjoy very much. However, it's only 20 hours a month; certainly not enough to earn a living wage and work my way upward to financial stability. I am also Vice Chair of the Maine Governor's Commission on Disability & Employment. However, I am writing this email as a private citizen.

I'm very supportive of the State Strategic Plan as a whole. I'm especially excited and encouraged by many of the steps outlined in the report to get more people with disabilities into gainful employment. Personally, I feel that the best way to combat the unemployment and underemployment crisis that exists involving people with disabilities is to show the general public that we are not an "other." We may look, sound, or talk differently than the average person. However, that doesn't mean that we don't strive for economic and social success, just as anyone else would. For far too long, people with disabilities have not been looked at as productive members of society, capable of gainful and meaningful employment. This report is an excellent start to dealing with the systemic issues that many of us with disabilities deal with on a regular basis.

For me, the most dynamic part of the report is the partnership with the Business Leadership Network. Let's be honest; there are many agencies and programs that have worked tirelessly towards the goal of having more people with disabilities in gainful and meaningful employment. However, the statistics are still dismal. We need fresh approaches and I believe that this partnership is a great one. The business community are ultimately going to be the ones who hire people with disabilities, so what better way for the business and disability communities to work on solutions together, then to be at the same table on a state and national level.

Sincerely,

Avery Olmstead/MLIS

Old Town, Maine

(207) 827-1047

averyolmstead@gmail.com



John L. Tuttle, Jr.

176 Cottage Street Sanford, ME 04073 Residence: (207) 324-5964 HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: (207) 287-4469



August 30, 2012

Mr. Fred Webber, SWIB Chair State Workforce Investment Board State House Station 120 Augusta, Maine 04333

Dear Mr. Webber:

Gov. Paul LePage is has presented a proposal which I and others believe will seriously jeopardize the availability of millions of dollars in federal funds for essential job training services in Maine. Furthermore, his plan to revamp the administration of these funds removes local control and instead concentrates authority in Augusta.

The governor's actions are without cause and are contrary to the intent of the federal Workforce Investment Act. The current allocation system for job training funds involving four local workforce investment boards has a proven track record of success. The governor is using erroneous and misleading data to defend his proposal, when the record is clear that the states Workforce Investment Boards have performed efficiently and effectively, and have an above average record of success in managing these essential federal dollars.

There is simply no rational justification for his drastic proposal. If Maine is to recover from the recession and prepare its workers for future employment, the uninterrupted allocation of federal job training funds is essential.

Please carefully review the governor's plan and his request for a waiver from federal requirements. I believe you will agree with me that his proposal is unwarranted and risks losing millions of dollars in badly needed job training funds.

Thank you,

John L Jutte M.

John Tuttle

State Representative, District 143

CC: Coastal Counties Workforce, Inc.



Michael E. Carey

10 Perrier Street Lewiston, ME 04240 Residence: (207) 344-3017 RepMichael.Carey@legislature.maine.gov

# House of Representatives

2 STATE HOUSE STATION AUGUSTA, MAINE 04333-0002 (207) 287-1400

TTY: (207) 287-4469



August 30, 2012

Mr. Fred Webber, SWIB Chair State Workforce Investment Board State House Station 120 Augusta, Maine 04333

Dear Mr. Webber:

I am writing in opposition to Gov. Paul LePage's plan to transform the delivery of job training funds and services in Maine. I do not support his administration's request for a waiver from federal regulations.

In evaluating the governor's proposal, the basic question to ask is simply, why? The current system of administering federal job training services in Maine is clearly working and has broad support from employers throughout the state. The Local Workforce Investment Boards have years of experience in navigating complex federal regulations and in acquiring additional grants to supplement badly needed job training funds. Those skills will disappear under the plan proposed by Gov. LePage, jeopardizing millions of dollars in job training funds and services.

What's more, there is no question that the governor's plan removes local control over the administration of job training funds. I believe this is at odds with the requirements of the federal Workforce Investment Act that emphasizes local control over a single-state delivery model, which is what Gov. LePage is proposing.

The figures that have been provided to me clearly show that Maine's current job training system is working, and there is simply no justification for discarding years of expertise and efficiency for a top-down proposal that was drafted without any input from the very groups and individuals that are on the front lines providing job training and workforce development skills on a daily basis.

I therefore urge you to reject the governor's plan and his request for a waiver from federal regulations.

Thank you,

Mike Carey

State Representative, District 72

Michael & Cary

CC: Coastal Counties Workforce, Inc.

68

Aug. 31, 2012

State Workforce Investment Board State House 120 Augusta, ME 04333

Ladies and Gentlemen:

I am writing on behalf of the Bangor Region Chamber of Commerce in response to the State Workforce Investment Board's solicitation of public comment on the proposed five-year strategic plan. The Bangor Region Chamber of Commerce is firmly opposed to the plan.

We do not agree with the intent to eliminate Local Workforce Investment Boards in favor of centralized administration of workforce training funds.

As was the case with the Department of Labor's request for comment regarding a federal waiver to extend and modify the current workforce strategic plan, we continue to believe the State Workforce Investment Board's proposed five-year plan would undermine successful workforce training efforts in our region.

At its December 2011 meeting, the Board of Directors of the Bangor Region Chamber of Commerce, in reaction to the creation of the statewide Workforce Investment Board, voted to endorse the current system in our region for delivering services under the act.

Specifically, we support continued administration and delivery of services by Eastern Maine Development Corporation in the three counties it serves. We also support retaining our Local Workforce Investment Board with its current powers and responsibilities.

The current system aligns our region's workforce training seamlessly with collaborative economic development efforts. Through the Mobilize Eastern Maine network, of which we are a part, there is near constant communication among employers, economic development professionals and our workforce training specialists.

Further, we do not support the proposal placed before the Maine Association of Chamber Executives to make local chambers of commerce the conduits for feedback from local employers with regard to workforce training needs.

Speaking for our Chamber, we have neither the resources nor the expertise to solicit the required feedback in a way that would improve upon the current system in our region. We are a membership and advocacy organization, focused on providing resources to businesses and advocating for them in the political arena. Soliciting feedback for the purpose of informing a workforce-training program is not part of our core mission, nor is it a core competency of our organization.

Thank you for this opportunity to comment and register our opposition to the proposed plan.

Regards,

John Porter

President & CEO

208 Maine Ave., Bangor, ME 04101 (207) 947-0307 | fax (207) 990-1427

jporter@bangorregion.com

www.bangorregion.com

#### Freund, Richard

From:

Sue Mackey Andrews [sdmandrews@aol.com]

Sent:

Friday, August 31, 2012 3:48 PM

To:

DOL, SWIB

Subject:

COMMENT: State Workforce Investment Board Five Year Plan Proposal

Attachments: sdmaWIAComment.pdf

Attached please find my letter in opposition to the WIB proposal to eliminate the four Local Workforce Investment Boards in favor of centralized administration of workforce training funds. Please contact me directly if you would like follow-up or to discuss this further. Thank you.

My best, Sue

Sue Mackey Andrews President Solutions Consulting Group, LLC 3 Shore Road North Dover-Foxcroft, Maine 04426

Home Office Tel: 207-564-8245

Cell: 207-408-8040

"You don't really understand human nature unless you know why a child on a merry-go-round will wave at his parents every time around — and why his parents will always wave back...."

- William D. Tammeus

August 31, 2012

State Workforce Investment Board State House 120 Augusta, ME 04333

RE: State Workforce Investment Board Five Year Plan Proposal

Dear Board Members,

I write this letter as a resident of Piscataquis County for more than 33 years, owner of a woman-owned Maine-based small business. I am also Vice President of the Piscataquis County Economic Development Council (PCEDC) Executive Board and an elected member of the RSU #68 Board of Directors. I am firmly opposed to the proposed changes to eliminate Local Workforce Investment Boards in favor of centralized administration of workforce training funds and I would like to tell you why.

Piscataquis County is the smallest county in Maine, with roughly 16,500 residents, and vies with Lincoln County as the "oldest" county in Maine with respect to residents over age 60. In the past ten years, we have seen tremendous erosion in county-based services. We are, for example, the only county in Maine without a local DHHS office. This means that residents of Piscataquis County, the second poorest in Maine, have to travel to Bangor, Skowhegan or Waterville to access public services and programs. For many, this means a 2-3 hour round trip if they have a reliable vehicle, and gas money. So, while between 65-80% of our elementary children in the county are enrolled in the free/reduced lunch program, only about 57% are enrolled in Medicaid even though they would be eligible.

In 2008, the state closed the Career Center which had been located in the industrial park here in Dover-Foxcroft. This was at the time when our county's unemployment rate was the highest in the state – 13.4%. At the same time, the state also closed the Career Center in Ellsworth. Eastern Maine Development Corporation (EMDC) stepped up to the plate with established career services at their Morton Avenue location in Dover-Foxcroft and has been meeting the needs of our residents since 2008. They replicated this action in Ellsworth.

When the state created eight (8) districts for the purposes of managing public health and human services throughout the state, Piscataquis was again coupled with Penobscot. As with other rural counties, when this coupling occurs – our data and needs are long over-shadowed

Office: 207-564-8245 Cell: 207-408-8040

sdmandrews@aol.com

Solutions

Susan D. Mackey Andrews, President 3 Shore Road North Dover-Foxcroft, Maine 04426-3950 State Workforce Investment Board August 31, 2012 Page Two

by the larger county data pool. Services are imported to this region, usually on a reduced schedule and are often incompatible with the culture and true needs of the population.

Piscataquis County, similar to other rural Maine counties, is invisible, underserved and underrepresented in most of these regionalization approaches.

EMDC and the policies that exist in the regional boards to ensure parity and equity at the county level has been one exception.

Workforce Investment Act (WIA) funds pay the rent at the Morton Avenue office which is also used, at no cost, by state Department of Labor employees as well. Loss of the WIA funds means the loss, again, of our Career Center services. Unemployment is now pegged in our county at 9.7%, the third highest in the state as of July 2012. This is no time to close the Career Center which worked closely with our adult education and other community agencies and businesses, including PCEDC, to support unemployed workers, help them access appropriate programs and services related to re-education, career counseling and assist with job search and placement.

We have two Chambers of Commerce in our county – both small, with part-time employees. Their achievements largely happen through their volunteers. There is absolutely no way that either of these Chambers has the resources, time or ability to take responsibility for workforce development – either with just their members, or to include their non-members. This is not in their charter and goes far beyond their capacity.

When the dialogue from this administration and many members of the Maine Legislature is to downsize state government – centralizing the WIA functions seems to fly in the face of this commitment.

The end result of this proposal is that the \$10 million dollars in WIA funds will no longer be managed and directed by people who know the counties, their culture and their needs. These funds will be managed by singular state-level committee with absolutely no depth or personal knowledge of the changing needs, culture, dynamics and potential in our rural counties. The proposal is silent on any method to ensure the allocation of funds in an equitable and fair manner. This is deeply concerning.

The estimated cost savings to the state from this proposal is \$400,000. The Tri-County Workforce Development has worked well for this county and this region. It has worked to maximize resources through partnerships with area agencies and resources, combining the

Workforce Investment Board August 31, 2012 Page Two

efforts of workforce development and economic development services with the goal of improving the results of investments made by both systems.

Federal WIA funding is received by the Maine Department of Labor and is allowed to retain 25% of the total allocation for administrative purposes and other statewide projects and activities. The Tri-County Workforce Area receives approximately 20% of the remaining WIA funds allocated to local areas based on a standard formula

Of these funds, 90% of the local WIA allocation is contracted to EMDC to provide direct services to eligible workers and to assist businesses hire those workers. These funds are used to employ staff who perform required services, for facilities in each county, to provide for training and support services to program participants, and to conduct outreach and support to employers seeking to hire employees. The current year budget for WIA program funds in the Tri-County area is divided, 60% for required staff services, facilities and expenses (including indirect costs), and 40% for direct participant training and support services.

The portion of WIA funds used for education and training is primarily spent with adult education, the community college and university system, for certificate, diploma and degree programs or directly with employers for training on the job. Our EMDC/Career Center office is co-located in the same building with our county adult education program and partners routinely with PVAEC. A portion of these funds also provide local residents with support services, such as assistance with transportation, child care and other needs – all essential to make things "work" for this population.

I strongly urge the United States Department of Labor to deny the Maine SWIB's request for waiver to eliminate the four local workforce boards.

Sincerely.

Susan D. Mackey Andrews

President

cc: Jeanne Paquette, Acting Commissioner, MDOL
Jack Clukey, President, PCEDC Executive Committee
Sherry French, President, Piscataquis County Chamber of Commerce
Congressman Mike Michaud, 2<sup>nd</sup> Congressional District
Joanna Russell, Executive Director, Tri-County Workforce Development Board

# 77

# Freund, Richard

From:

Dave Tomm [tommdit@msn.com]

Sent:

Friday, August 31, 2012 4:30 PM

To:

DOL, SWIB

Subject:

Comments on the WIA Strategic Plan 2012-2016

Attachments: SWIB PUBLIC COMMENT.docx

Please include my comments as part of Maine's Workforce Investment Act Strategic Plan for 2012-2016 attached in Word format. Please feel free to contact me with any questions.

Thank you.

Dave Tomm

President - Seasoned Workforce™ LLC
PO Box 1072

Rockland, ME 04841

Home Office: 207-594-5569

ttp://www.seasonedworkforce.com

#### PUBLIC COMMENT ON MAINE'S WIA STRATEGIC PLAN 2012 - 2016

The overall strategy of eliminating the cumbersome Regional Labor Workforce Investment Boards (LWIBs) into a single Statewide Workforce Investment Board (SWIB) is timely and a much better management of time and available resources. With all the new technologies and the Internet tools available today it's easy to communicate with people instantly eliminating long hours of unproductive meetings, travel and redundant communications. That means many more reliable, cost effective services can be delivered to the workers of Maine. Using the CareerCenter locations and SWIB structure Maine's Department of Labor operational efficiency for investing in its workforce is dramatically improved.

The LWIB and their partners, many of which are or want to become stake holders in the WIA funds, will certainly oppose the Plan. To be fair there have been successes and meaningful programs evolving from the LWIB in the past. That atmosphere seems to have changed. Clearly it's more about an emphasis on administrative funds and little about what they will accomplish in workforce investment. Because their operations depend on WIA funding many good programs are scrapped, deemed unsustainable resulting in limited investment in Maine's workforce. All that is considered sustainable for the LWIBs are their own salaries and administrative costs – understandable but counterproductive.

These comments are based on experience with the LWIB system. The Seasoned Workforce LLC involvement with the LWIBs was complicated, contradictory and very time consuming. Each LWIB has its own operating and reporting procedures that made it very difficult to coordinate activities. Maine's million dollar U.S. Department of Labor Aging Worker Initiative (AWI) Grant of 2009 was perfect example of poor synchronization since the partner agreements were almost impossible to coordinate. The staffs at most LWIBs were well meaning, dedicated people who unfortunately were stuck in an increasingly complex, ineffective bureaucracy. There was a lack of consistency by LWIB management with more emphasis on their own group's existence than the charge they had under the legislation that funded their organization. For example, the training segment of the AWI Grant. The outcome was abysmal, resulting in less than 10 people of the 200 who accepted into the training programs actually finding some kind of employment. This kind of failure rests more on the operational inefficiency of the LWIBs than on any economic conditions.

The proposed operational changes, the OneFlow Platform, to be used to update the recording and sharing of information for Maine's DOL will become a vital tool for service providers and businesses. Technology that can adapt to the needs of the workforce without getting lost in a conundrum of separate, independent bureaucracies is vital in today's world economy. The OneFlow Platform will also zero in on the fact that there is a large segment of the population, people 40 years old and above, who do not possess the necessary skills needed by Maine businesses. This is especially true of the seasoned worker, age 50 and older. We already have an infrastructure that can remedy much of this problem with the new focus. The WIA Strategic Plan will be a major opportunity to make any investments in

the workforce more effective. The centralization of management, especially with today's technology just makes sense. New ideas and best practices will have a continuity that will allow for thorough evaluation and implementation – free of LWIB bureaucratic inconsistencies. It gives administrators and policymakers a reliable system and allows rapid and effective implementation of programs that will help people and get them back to work.

As a strategy the Plan's connection to the Chambers of Commerce in Maine will open the new doors to meaningful economic development for Maine. That is particularly true if you consider the thousands of workers not clearly identified under the WIA legislation and thousands more who could be enticed back into the workforce from retirement and through in-migration. Utilizing the skills of experienced and reliable workers would give Maine a major economic shot in the arm. It's worth mentioning that from these groups of seasoned people many new businesses are created.

Utilizing the Maine's Chambers of Commerce will allow more businesses, especially those small business owners and managers that haven't the time to attend meetings to understand the benefits of workforce investment. They will be encouraged to participate in workforce discussions and share their needs through their local Chamber of Commerce newsletters, announcements, meetings and events – much more business friendly. With 91% of the businesses in Maine having less than 19 employees these demographics hold the most important key to Maine's future economy. The WIA Strategic Plan as presented is focused on the business community, the creators of jobs – a vast improvement over the LWIB system.

At Seasoned Worker Forums for people age 50 and older, funded in part through the AWI Grant, we met hundreds of healthy, educated and talented people who had never used the services of the CareerCenters or LWIB programs. Many had the resources to start their own businesses or even prepare themselves for new employment opportunities with or without using workforce investment services. By merging the available workers and businesses with the outreach attitude prevalent today and increasingly being used by many of Maine's Chambers of Commerce more people will be encouraged to become more involved in the economic growth of Maine. This creates new initiatives and encourages business growth and expansion. The LWIBs are not reaching the business community primarily because of the complexities of their separate, autonomous bureaucracies. We need to communicate with the people who create the jobs with consistent information and assistance – this can best be accomplished with a single Statewide Workforce Investment Board.

Thank you to the Governor, the Department of Labor and the Statewide Workforce Investment Board for this new, more responsive approach finds meaningful solutions to the critical labor problems facing Maine.

Dave Tomm - President, Seasoned Workforce LLC - Rockland, Maine

#### · Charles E. Crosby III •

16 Thomas Avenue, Topsham, Maine 04086

August 31, 2012

S.W.I.B. State House Station 120 Augusta, ME 04330 swib.dol@maine.gov

RE: State Workforce Investment Act Strategic Draft Plan 2012-2013

TO: State Workforce Investment Board members.

In my response to the MaineBiz article of June 11, 2012, I indicated that as a board member for one of the LWIBs targeted for elimination, I am greatly concerned with the administration's proposal for Workforce investment Act (WIA) delivery in Maine as outlined in the WIA State Plan. The proposal to eliminate the existing four Local Workforce Investment Boards (LWIBs) in order to create eight small LWIBs, which will be served by one State Workforce Board (SWIB), is not a viable plan for Maine's workforce development.

The administration says one of its aims in revamping current job training programs is to allow local chambers of commerce to be more involved. However, in the six coastal counties of southern and mid coast Maine, active partnerships with the chambers already exist. Several local chambers work directly with work-force development professionals to shape the training offered in this region. In fact, Coastal Counties Workforce Inc. in Brunswick (which administers the federal job-training funds for our region) received the nonprofit business of the year award from the Southern Mid coast Maine Chamber of Commerce last October. Dan Bookham, executive director of the Penobscot Bay Regional Chamber, said, "Through access to work-force development tools for our members, CCWI helped the chamber directly connect job creators with job seekers in an efficient and effective manner."

The administration says we should let businesses "drive the bus". Sounds great, but a majority of our LWIB leadership is currently comprised of businesses, and our staff work one-on-one with local employers right now to provide on-the-job training and qualified referrals for current openings. Our on-the-job-training program has been retooled based on employer requests for needed services. And that is just one example of how our workforce board responds to employers.

The governor says his initiative is aimed at making sure people get training that leads to work. Our efforts with businesses and job seekers, whether unemployed or under-employed, results in 75%-80% of our job training recipients obtaining good jobs at good wages. And let's not forget one important part of this equation: We rely on chambers and state economic development agencies to catalyze job creation. Perhaps the governor should be more focused on creating jobs so the people we train have somewhere to go.

The administration says it would like to invest more in training activities. We agree. When the unemployment rate is approximately 7.5%, our unemployed workers need as much training investment as we can bring in. That's why in the past five years we obtained an additional \$18 million to supplement federal job training funds. Will the chambers be able to do this? We think not. Saving an annual \$250,000 in administrative costs, as the governor proposes, by obliterating our region's capacity to bring in additional millions in training dollars to Maine is simply penny-wise and pound-foolish.

#### Charles E. Crosby III

16 Thomas Avenue, Topsham, Maine 04086

RE: State Workforce Investment Act Strategic Draft Plan 2012-2013, page 2

So, what is Governor LePage really trying to do? We think there is a confusion of ends vs. means. We ALL want more training funds, but we do not think eliminating our local control is a viable solution. Think how community leaders would react if the Maine Department of Education said, "Give up your school districts and let the state run everything." When the previous administration offered legislation to consolidate school districts, many Maine communities said, "No thanks." Now, this administration is proposing to run local job training at the state level. And most of the local businesses do not see the state as the most responsive nor locally attuned provider of services.

This is what we do see.

Our LWIB has solid and consistent performance over the past 12 years, receiving incentive funds for two of those years in which our performance has been exceptional.

Because of local board policy implemented by our business leadership, which includes representatives from Bath Iron Works, L.L. Bean, Wal-Mart Stores, Inc., Southern Maine Medical Center, Marden's, Pratt & Whitney, Cianbro, Atlantic Pest Solutions, Arundel Machine Tool Co., GAC Chemical Corp., and more, CCWI has at least 35% of all work-force funding dedicated directly to training, and the coastal counties region has among the highest investment in training of any LWIB in Maine and one of the highest in the nation. As Senator Olympia Snowe recently remarked: "Coastal Counties could not be a more indispensable ally in the endeavor to put unemployed Mainers back on the job. To say that you are a beacon of hope for citizens throughout our state is certainly no exaggeration."

Instead of dismantling our board, we would ask the governor to tell the whole Pennsylvania story, which is referenced in your article. We agree that Pennsylvania has had great success with its industry partnerships. However, unlike Maine, it invested significant state resources (\$27 million annually) in a partnership effort with LWIBs, while Gov. LePage has proposed no state funding. Pennsylvania used its local business involvement to generate even more business involvement -- through its existing LWIB delivery system. We would ask the governor to consider talking with the very businesses that have invested their time and energies in making the existing work-force structure a success before he insists on reinventing the wheel.

The WIA State Plan proposes "solving" the WIA "problem" by restructuring. In fact, the existing WIA funds are used as well as the federal legislation allows. A SWIB instead of the 4 LWIBs will not generate additional revenue, serve more individuals, not satisfy businesses needs for more and alternative training. To do those things, there needs to be an infusion of additional funds, a change in federal legislation and if possible an investment and/or realignment of state resources. This Plan does not address those issues and needs to be amended.

Sincerely,

Charles E. Crosby III

Murles E. Crosty (1)

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# Freund, Richard

From:

pfournier@androscoggincountyme.com

Sent:

Friday, August 31, 2012 5:11 PM

To:

DOL, SWIB

Subject:

Letter from Androscoggin County

Attachments:

LeterfromAndroscogginCountuCommissioners.pdf



LeterfromAndrosco , gginCountuCom...

Here is a letter from the Androscoggin County Commissioner

(See attached file: LeterfromAndroscogginCountuCommissioners.pdf)

Patricia Fournier, County Clerk Androscoggin County 2 Turner Street Auburn, ME 04210 Tel. No. (207)753-2500 Press 1

Fax No. (207)782-5367

e-mail: pfournier@androscoggincountyme.com

# ANDROSCOGGIN COUNTY

COMMISSIONERS Randall A. Greenwood, Chairman Elaine Makas, Commissioner Beth C.. Bell, Commissioner



CLERK Patricia Fournier

Tel. No. (207)753-2500 Fax. No. (207)782-5367

August 31, 2012

Dear Sir or Madam:

We, as Androscoggin County Commissioners, are writing to express our deep concerns over the Governor's proposal to replace the existing Local Workforce Investment Boards with a single state delivery system that relies on regional Chambers of Commerce for local input. Such centralization will lead to a costly and less-effective targeting of Workforce Investment worker training/retraining funds.

The current system already includes input from local businesses in that a majority of members on each Local Workforce Investment Board must come from the private business sector. Chambers of Commerce, while including members of local business establishments, are comprised primarily of small businessmen and women, and their main focus is on expansion of these low-employee ventures. Although some small businesses are able to accommodate new hires, they do not have the same capacity as larger manufacturing businesses to participate in the training/retraining goals of Workforce Investment legislation.

Chambers of Commerce are also not able to provide the policy-making needed under Workforce Investment requirements. With the restructuring proposed by the Governor, this policy-making function is transferred from the local level to a centralized state level that would be less sensitive to regional needs. The current structure, on the other hand, includes businesses, training resources, and elected officials, who, collectively, can fulfill this policy-making requirement at the local level.

In sum, the current system works very well. The Local Workforce Investment Board includes local businesses, large and small, as well as local training resources and elected officials who represent their local constituencies. The Governor's plan, though undoubtedly well-intentioned, will not result in either cost savings or increased efficiency. In fact, the plan will replace a carefully-constructed and time-tested governance and service provision system with one that is more expensive and less effective.

We urge the U.S. Department of Labor to deny any request to replace the Local Workforce Investment Boards with a cumbersome and inefficient centralized system.

Sincerely

Randall Greenwood

Elaine Makas

Beth Bell

Androscoggin County Commissioner

2 Turner Street Unit 2, Auburn, ME 04210\* pfournier@androscoggincountyme.com

# Freund, Richard

From:

jsneddon@myfairpoint.net

Sent:

Saturday, September 01, 2012 6:59 AM

To:

DOL, SWIB

Subject:

SWIB WIA Plan Public Comment

Attachments: SWIB Plan Public Comments CWMWIB.pdf

To whom it may concern:

Please see the attached public comment letter in regards to the SWIB WIA Plan.

Thank you,

Jeff Sneddon Central Western Maine Workforce Investment Board 5 Mollison Way, Lewiston ME 04240



# 5 Mollison Way, Lewiston Maine 04240-5805 Phone 207.753.9011 Fax 207.753.9031

www.mainefocus.org

August 31, 2012

Maine State Workforce Investment Board #120 State House Station Augusta, Maine 04333-0001

To Whom It May Concern:

As the Executive Director of the Central Western Workforce Investment Board (CWMWIB), I am writing to express deep concerns over the Governor's proposal to replace the existing Local Workforce Investment Boards (LWIBs) with a single state delivery system that relies on regional Chambers of Commerce for local input.

Regionalism will be undermined by such a centralization of authority and oversight. Administrative decisions will reside at the state level and will not reflect regional differences/nuances. With the existing workforce development system, LWIBs coordinate and facilitate regional approaches through a diverse Board of Directors and numerous partnerships with each local area. Regional differences are real in Maine and have an impact on program development and service delivery. By replacing the existing system with the regional Chambers for local input nothing new is gained; it is simply "recreating the wheel". Also, LWIB Boards develop policy for the local workforce area NOT the Chambers of Commerce. Under the proposed plan this function will be moved to the state level and will remove local and regional autonomy to do what's best for its region.

An important element to improving the economic wellbeing of our workforce is to interact with industry sectors that have high skill/high wage jobs. There is a significant disconnect between a local/regional Chamber membership (typical membership consists of retail, service, tourism/hospitality) and access to high skill/high wage jobs. The LWIBS throughout Maine are already working with targeted industries that support higher skill jobs. Also, policies and strategies at the LWIB level are larger and more comprehensive than Chamber membership issues and include working with specific populations (e.g. people with disabilities, TANF recipients, workers with criminal backgrounds) and associated agencies to address the challenges to employment. The Chamber of Commerce is a membership organization designed to promote its members and increase their business opportunities.

We encourage the United States Department of Labor's Employment and Training Administration to deny any request to eliminate the Local Workforce Investment Board's authority regarding workforce investment activities and deny any request made to re-designate the local areas in Maine.

Sincerely

Jeffrey R. Sneddon

From: James Gerety [cdrjmg@gmail.com]

Sent: Saturday, September 01, 2012 11:50 AM

To: DOL, SWIB

Cc: jrussell@emdc.org; maube@emdc.org

Subject: Public Comment

#### To Whom It May Concern:

As a member of the Leadership Team of Mobilize Eastern Maine, a member of the Board of Directors for the Greater Bangor Convention and Visitors Bureau, Action Committee of 50, the Bangor Region Chamber of Commerce and the General Manager of Bangor Mall, one of the Tri County region's largest employers, I am dismayed and concerned by the State Workforce Investment Board's 2012 Strategic Plan.

This plan seeks to eliminate local control of the funds awarded through the federal Workforce Investment Act--funds that are best distributed through locally delivered training and education programs customized to each region's needs. Moving to a centralized system would be a mistake.

While the proposed plan says delivery of programs would move from four distribution points to eight, the Chambers of Commerce in those eight regions may not be equipped to meet the needs of certain service areas. As membership driven organizations, charging the Chambers of Commerce with these tasks risks missing a large segment of small businesses participation because they are not members of the Chamber.

Three years ago the Tri County region began implementing a new model of delivery that converged delivery of workforce programs with the current and future needs of our businesses. Instead of simply providing training for a job, residents in our region were preparing for a career that will provide a better economic position for them and their families. This model has been tremendously successful, showing increased success rates year after year. The proposed plan would decimate what has been built and be detrimental to our residents and our region.

Almost three years ago one of our anchor tenants, JCPenney, was seeking someone for an Assistant General Manager position. At the same time, Andrew was enrolled in workforce programs and was completing training where he sharpened soft skills, worked with a career advisor to create a new resume and improved his interview skills. Because of the connection and collaboration in our area, management at JCPenney heard about him and he learned of the job opening. Andrew interviewed and was hired. He remains at JCPenney and is a highly regarded employee both by the store and in his interactions with my office. Had the workforce programs been delivered differently, without the important links and collaboration that take place daily in our area, it is very likely that Andrew and JCPenney would not have found each other.

I'm certain that Andrew's story is one of many. We cannot afford to lose, or risk losing, a system that provides results like this.

As a business person and as a resident of this community, I am fundamentally opposed to the proposed 2012 plan.

Sincerely, -- James M. Gerety

From: Sent:

Rick Tanney [rtanney@acadia.net]
Saturday, September 01, 2012 2:23 PM
DOL, SWIB; jrussell@emdc.org

To: Subject:

Comment Regarding Proposed SWIB Plan

Maine's current workforce system, that is operated by local workforce investment boards making decisions for the businesses and individuals in their local areas, is working in the Tri County region of Penobscot, Piscataquis and Hancock counties. I do not support changes to the implementation as suggested by the Governor's proposal and feel that any structural changes would be detrimental to progress in our region and in our state.

Assuming commensurate staffing in a centralized office, it is ironic that a plan to improve Maine's workforce development would start by increasing unemployment in the workforce development field to 75%.

--Rick Tanney (Trescott TWP, Washington County, currently working in Korea because there are no jobs available in Maine.)

From:

pamela swartz [pamswartz@hotmail.com]

Sent:

Sunday, September 02, 2012 12:07 PM

To:

DOL, SWIB

Subject:

WIA State Plan Public Comment

Attachments: Hot Wax WIA Plan Comment.pdf; WIA Plan Comment Techniques Hair Salon.pdf

Good Afternoon,

Attached please find two letters of public comment from my husband and I respectively. We are both small business owners in mid-coast Maine and feel that is is important to submit feedback to this plan. Thank you for your consideration of our thoughts and concerns.

Sincerely,

Pam Swartz

# Techniques Hair Salon

143 Washington Street - Camden - Maine - 04843 - (207) 236-4241

August 31, 2012

Maine Department of Labor State Workforce Investment Board 45 Commerce Drive Augusta, ME 04330

To Whom It May Concern:

Please accept this letter in response to the Workforce Investment Act State Plan. As a small business owner and mid-coast Maine resident, I am apprehensive about the new direction the plan proposes to take the public workforce system in. Of particular concern to me is the centralization of authority and control to a state agency and State Workforce Board; granting a waiver to allow the State Workforce Board to take over the role of the existing local boards would do just that.

Maine's four Local Workforce Investment Boards, each representing a wide variety of businesses and organizations, have functioned well for over a decade by responding to unique regional and local conditions and needs. I have serious apprehension about one single State Workforce Board addressing workforce and business needs as effectively or efficiently. My husband is also a small business owner and has had very positive experiences working directly with the local workforce board and its service provider in this region; we would like to continue to have this opportunity moving forward. Maine is by nature a State that values small business and local or regional control. Unfortunately this plan flies in the face of these values.

I oppose approval of the Workforce Investment Act State Plan as drafted and strongly urge the U.S. Department of Labor to deny the waiver request that would allow the State Workforce Investment Board to take over their role. This would wrest control of federal workforce training dollars from local entities and dramatically restructure Maine's workforce system to one that is ruled by the powers that be in Augusta. Such a change would not be in the best interest of Maine's jobseekers or small businesses.

Thank you for your consideration.

Respectfully,

Pamela Swartz
Owner, Techniques Hair Salon



495 West St. Rockport, ME 207-230-0030 Thomas Swarts, Proprietor

August 30, 2012

Maine Department of Labor State Workforce Investment Board 45 Commerce Drive Augusta, ME 04330

#### To Whom It May Concern:

I am writing in regard to the draft Workforce Investment Act State Strategic Plan; I am extremely concerned by the proposed restructuring of the workforce system contained therein. As both a tax-paying citizen and a small business owner in mid-coast Maine, I value the regional nature of the local boards and the responsiveness this affords. The administration's waiver request to essentially dismantle the state's existing Local Workforce Investment Boards and centralize the system in Augusta is not the right direction for Maine.

I saw first-hand the important work that Coastal Counties Workforce, Inc. and their service provider Goodwill Workforce Solutions do when I hosted a WIA youth participant in a paid work experience. Although taking on a young person in this capacity could be daunting to a small employer, things went so well that I went on to hire this individual as a regular employee; she has since left to pursue post-secondary education. The policies set forth by the local workforce board and their Youth Council ensured that supports were in place to meet both my needs as an employer and those of this young adult.

Maine is a vast state with regional differences in population, workforce, industry, and culture to some degree. I believe that the regional structure we have in place now is able to respond to the differences and to serve business and jobseekers well as a result. I do not see how a State Workforce Board, even with local Chamber of Commerce input, could fulfill the role of the local boards. For these reasons I do not support adoption of the state plan as submitted and strongly encourage the U.S. Department of Labor to deny Maine's waiver request to allow the State Workforce Board to assume the local boards' role.

Thank you for your consideration on this matter.

Sincerely,

Thomas Swartz

## # 1 78

#### Freund, Richard

From: re

robertbcarr@me.com

Sent:

Sunday, September 02, 2012 1:49 PM

To:

DOL, SWIB

Subject: Workforce Investment Act: Strategic Plan

I have reviewed the Maine Workforce Investment Act Strategic Plan and I applaud all that have contributed to its development. The emphasis towards understanding and addressing the current and future needs for private industry employment is key to an efficient and and effective employment continuum towards competitive economic growth for our state.

My only comment towards its implementation is to include the Maine Trade Associations, such as Maine Manufacturers' Assoc., Maine Composite Alliance, etc., and the temporary employment agencies in identifying skill gaps and HR needs for the workforce development strategies.

Its a great plan and I look forward to its implementation.

Sincerely,

Robert B. Carr 9 Grace Lane Sanford, Maine 04073

Sent from iCloud

**From:** Kimberly Lindlof [kimberly@midmainechamber.com]

Sent: Sunday, September 02, 2012 4:49 PM

To: DOL, SWIB

Subject: Public Input

Mid-Maine Chamber of Commerce stands ready to assist the State in its new restructuring of the workforce investment delivery system. We feel that the new structure will provide more employer feedback to the State Workforce Investment Board and allow for more training dollars to flow to those in need thereby assisting our membership in finding well trained and able employees to fill vacant positions. Our number one goal is to help our businesses grow and succeed, and having a willing and able workforce is key to that success. Although there are details to be worked out, we feel that the broad outline as thus defined will provide greater equality in programs and services throughout the State and increased connectivity to the business community that will benefit from speaking more directly to those providing the workforce development resources. Mid-Maine Chamber is in hopes that this new approach/delivery system will be driven by the needs of the business community as opposed to the strengths of the particular LWIBs and their staffs that existed previously.

--Mid-Maine Chamber of Commerce represents 14 communities and over 600 members in the greater Waterville region.

Kimberly N. Lindlof President & C.E.O. Mid-Maine Chamber of Commerce Celebrating 100 years

From:

The McClellans [mmcclell@maine.rr.com] Sunday, September 02, 2012 11:24 PM

Sent:

To:

DOL, SWIB

Subject:

State Workforce Investment Board (SWIB) Workforce Investment Act State Plan

Attachments:

Workforce Dev. Change.doc



Workforce Dev.

Change.doc (38 ...
Please see my comments on the attached.

Thank you.

Rep. Mike McClellan House 103

#### Representative Michael D. McClellan Maine House 103 Raymond, Frye Island, parts Poland and Standish

September 2, 2012

To whom it may concern;

Please accept this note as my comments concerning the state workforce investment board draft plan. I understand comments will be accepted through Sunday September 2<sup>nd</sup>, 2012. I learned late about the bulk of this plan and thus tried to educate myself as much as possible over the weekend.

My biggest concern is watching a second state department take a program administered by local agencies that have a sense of the pulse of their specific region and giving the decision making to administrators centered in Augusta (or wherever the program will be administered). Recently, the funding for Healthy Maine was adjusted by people not within the local areas but at state department levels. Even though my party is administering the leadership, I saw their decisions were one-sided, did not make sense when explained and looked to be vindictive. A data process they utilized did not seem professional and I was embarrassed for them. I pray this is not a similar situation as I ran my campaign (and won) as a local control advocate. This plan seems to offer the loss of local control to workforce development.

Maine is a large state and has many different areas to program for. My experience leading a Western Maine chamber of commerce as executive director and later serving as both volunteer President of MACCE (Maine Association Chamber of Commerce Executives) and as a paid director of MACCE tells me that there are many different "worlds" in Maine. I know that there is a lot of local business talent and I have seen that when they are told to deal with the state in Augusta, they often shut down and move on to other projects. My understanding is that businesses like the current system. I also must point out that the turnover in local chambers in Maine is rapid. Turnover occurs weekly due to funding and other stresses of the job. Most chambers have one staff at most; they may also have some volunteers. There are chambers that are totally volunteer led. Even the largest chambers in Maine with multiple staff would say if being honest that they are stretched thin already. While chambers certainly are business oriented, I do not believe the majority of local chambers have the training and skills to run the programs you hope will occur. Finally, many chambers have very strict mission/vision statements which may preclude them from taking an active role. Please realize, as a former chamber executive director, I highly respect the work of local chambers and simply do not want to see them set up.

I contacted a Maine state representative who is on your committee and we discussed this plan at some length. He does not feel positive about the plan and shared how his local chamber director works about 30 hours a week and all his time is spent marketing to keep the chamber alive. Now I am sure chambers will be excited to take this on, that is what

chambers do when given opportunities. However, I seriously question (as I did with Healthy Maine) why you would tear a system down that works to replace it with something that will be a work in progress?

As you can see, I am concerned about this change. I would appreciate being notified of next steps. Good luck in your process, please take the time neccessary to make the right call.

Sincerely,

Mike McClellan House 103 Raymond, Frye Island, parts Poland and Standish

From:

Justin Holmes [justincholmes72@gmail.com]

Sent:

Friday, August 31, 2012 2:01 PM

To:

Oswald, Garret J.

Cc:

Fisher, Adam C.

Subject:

Public Comment for State's Workforce Investment Act Strategic Draft Plan -

Attachments: Public Comment for State's Workforce Investment Act Strategic Draft - Justin Cotta Holmes.pdf

Please find a PDF attached of my public comment to the State's plan. Please let me know you have received this as well.

Best,

Justin Cotta Holmes

#### To Whom It May Concern:

These comments are offered to be included in the "public comment" section of the State's proposal for a new workforce development delivery system and waiver from federal regulations. After a review of this proposed plan, my concerns are both numerous and severe.

The LWIB system, currently servicing the entire State, is a proven model, successfully serving both workers and employers. Training programs have enabled thousands of displaced workers to receive the training they need in the pursuit of a new career, helped older workers prepare for a return to the workforce or young workers learn the necessary skills to enter the workforce. LWIB's have also provided the framework for staff, elected officials and educators to interface with employers, to design and implement training programs, capable of providing the skilled workers that Maine businesses need to grow. As a Board member of Coastal Counties Workforce Inc., I witnessed firsthand the way in which a workforce development organization should partner with communities and the private sector. After BRAC announced the closing of the Brunswick Naval Air Station, it was Coastal Counties who worked diligently with local, state and federal authorities to prepare for the negative economic impact, anticipated with the base closure. Aggressively pursuing federal funding and developing partnerships with the local business community and the Brunswick Local Redevelopment Authority, Coastal Counties immediately began training the civilian workforce population expected to impacted.

The success of these programs cannot be overstated in their role in keeping the local unemployment rate below projected figures and in mitigating the forecasted economic downturn. In recent years, the relationship with the private sector has deepened even more and it has been the LWIB's who have led in convening the forum for the aforementioned partners to respond to the needs of the business community. Fellow Board members in the private sector consistently marvel at the approach the organization has taken to do this and I have heard from business owners in other LWIB regions, who make similar claims of satisfaction.

So one can understand my shock and amazement upon hearing that the Governor planned to dismantle this successful beacon of cross-sector partnership and replace it with another plan. To then discover that the plan is both ill-conceived and built upon erroneous assumptions, only increased my misgivings. In seeking to replace the State LWIB system, the Governor seeks to fix that which is not broken.

Here are a summary of just a few of these concerns:

First, the plan outlined by the Governor was designed with absolutely no input from those who have been on the front lines of administering and providing job-training services in Maine for many years. It appears that the governor's plan is based on faulty information and erroneous data. CCWI and the other LWIBs can provide accurate data that refutes the governor's charges that the current system is inadequate.

Second, it seems clear that the model the governor has designed will not replace the expertise that has allowed CCWI and other boards to apply for and receive federal job training grants to supplement the funds allocated under the Workforce Investment Act. These are highly complex and very competitive grants, and without them, Maine will lose millions of dollars in critical job-training funds. It means that area businesses and employers, who cannot find workers with the skills they will, continue to suffer.

Finally, the Governor's plan severely diminishes local control and authority over the allocation of federal job training dollars. A careful examination of the plan, shows that it is, in truth, a one-state delivery model in a state with many regional and local economies. This runs counter to the intent of the federal Workforce Investment Act and will further weaken a system that is operating efficiently and effectively at the local and regional levels. Assumptions about the development of relationships with the local Chambers of Commerce are a huge miscalculation as well. Chambers exist to drive business to its members and increase tourism, not to be a workforce development and training partner. The myriad of problems with such an arrangement, not to mention the clear potential for conflicts of interest, leave one wondering how, if at all, the Chambers were approached with such a poorly contrived concept.

The great irony, in terms of the timing of this proposal, is that it comes when, if anything, the investment in the Workforce Development System should be **strengthened**. Unfortunately, however, Maine's Governor would propose dismantling the Local Workforce Investment Boards and replace them with an untested and unproven new plan for administering federal job training funds that I believe cannot possibly match the success of our current system.

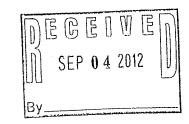
As in many states, Maine's economy remains fragile as we recover from the worst recession in decades. This is not the time to gamble with an unproven method of administering funds for badly needed job training services, not when the current method has a clear record of achievement for thousands of workers and businesses in Maine. I would also politely mention that given the State Department of Labor's serious issues with its own accounting system, your office should give careful and thorough consideration to channeling funding to a department that has hardly been able to instill confidence in regards to its financial management. It would appear to me that the problems, which led to these issues, have still not been properly addressed

Please give the governor's request careful consideration and reject this ill-timed and ill-considered proposal. I would be happy to discuss this with you or provide more information at your request.

Sincerely,

**Justin Cotta Holmes** 

August 30, 2012



State Workforce Investment Board State House Station 120 Augusta, Maine 04333

Dear Sir/Madame:

I am writing to voice my concerns about the administration's proposal to change the fundamental structure of the workforce delivery system in the state. As a strong advocate of regional approaches through my work with Mobilize Maine, it appears that this proposal moves in a different direction.

Mobilize Maine is a four-step systematic approach to economic development. This proven, action-oriented initiative invites strong private sector participation, uses innovative, technology driven tools and processes and focuses on capturing a region's assets to deliver measurable results.

Mobilize Maine (MM) uses its asset-based process statewide to allow local citizens to take control of their own regional economy. It does so through four fundamental tenets:

- MM is a regional, grassroots, private sector led, initiative where hundreds of business men and women are engaged in leading economic development of their region in partnership with the public and non-profit sectors.
- o MM focuses on leveraging unique assets that are within each region's control, celebrates regional differences and connects these assets across geographic and political boundaries.
- MM utilizes measurable economic indicators that allow local leadership teams to benchmark their regional economy, set five year goals, unique to each region, and are based on a consistent set of metrics across all regions.
- MM empowers action teams to immediately implement short-term opportunities uncovered by the process.

The WIA State Plan, which is recommending a shift from four Local Workforce Investment Boards (LWIBs) to one State Workforce Board (SWIB) does not support a strong regional approach to economic and workforce development. While it proposes a shift which aligns with the eight tourism districts and Maine Chambers, it does so in a way that removes the local's authority over the decision-making and resources and shifts that authority to the SWIB. From Mobile Maine's experience, the closer the decision-making authority is to the local and regional areas, the better the areas are served.

In the Coastal Counties Workforce, Inc. (CCWI) region, for example, CCWI has been a reliable and credible partner helping area businesses and communities create workforce action teams to identify and undertake short-term initiatives to address long standing workforce development needs. There are

three efforts under way in CCIW's region: one in York County, one in Cumberland County, and one in in

the remaining 4 midcoast counties (Lincoln, Sagadahoc, Knox and Waldo).

In York County, the Mobilize Maine Workforce Action team has targeted services to the manufacturing sector and based on interviews and existing resources is creating a "qualified prospects" training module which area businesses have indicated they need to help to address the skills gap in the southern Maine region. This effort which is in place now represents an existing Industry Partnership and involves the local Chambers, similar to what the State Plan outlines. And CCWI's current relationships with the area businesses, the Chambers, the regional Community Colleges and other key assets for the region's workforce resources have helped move the region's workforce development agenda ahead.

Similar experiences have occurred in other regions of the state, most notably in Eastern and Northern Maine, where mergers of workforce and economic development have created great results for the region and more fully aligned employer needs and employee skills.

Therefore, I would encourage the State Workforce Investment Board to reconsider the approach it is recommending. Maine's sheer geography makes regional, grassroots initiatives more effective, where decision-making can more closely align with the region's unique assets.

Thank you for your consideration.

Sincerely,

**Mark Ouellette** 

**Executive Director** 

Mobilize Maine

## **PUBLIC COMMENTS**

# Maine's Wagner-Peyser Agricultural Outreach Plan 2012-2013

The following notice inviting public comments on the state's Wagner-Peyser Agricultural Outreach Plan was posted at the following website on August 14, 2012: <a href="http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases&id=42">http://www.maine.gov/tools/whatsnew/index.php?topic=Labor+Press+Releases&id=42</a> 6123&v=MJCArticle

The notice read as follows:

Input Sought on Wagner-Peyser Agricultural Outreach Plan for 2012-2013

August 14, 2012

Augusta – The Bureau of Employment Services, Department of Labor, invites you to comment on the Wagner-Peyser Agricultural Outreach Plan for 2012-2013. NOTICE: Review and public comments on the plan will be received from August 14, 2012 to September 13, 2012. Comments should be sent to Juan Perez-Febles, State Monitor Advocate, Maine Department of Labor, Bureau of Employment Services, 55 State House Station, Augusta, Maine 04333-0055. Interested Parties may also send their comments to Mr. Perez-Febles at: Juan.A.Perez-Febles@maine.gov

From: Wendy Lord

**Sent:** Tuesday, August 28, 2012 10:55 AM

To: Klein, David

Cc: Christopher Huh; juan.a.perez@maine.gov; Wendy Lord

Subject: potato workers in maine

According to Tim Hobbs from the Maine Potato Board there are definitely 3000 seasonal potato workers, probably closer to 4,000-5000.

This count came from the fact that there are 250 potato growers who need 8 workers for each harvester, (most have 2) plus help in the potato house. These are all seasonal, hired for harvest.

# Wendy

Wendy Lord, Career Advisor
NATIONAL FARMWORKER JOBS PROGRAM
EMDC Eastern Maine Development Corp
66 Spruce St Suite 1
Presque Isle, ME 04769
wlord@emdc.org
207-760-6333
FAX 760-6346

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**From:** Barbara Ginley [mailto:bginley@mainemigrant.org]

Sent: Thursday, August 23, 2012 6:52 PM

To: Perez-Febles, Juan A.

**Subject:** Wagner-Peyser Outreach Plan

Dear Juan- I have taken some time to review the outreach plan that has been posted for public comment. As one of the agencies that works closely with you as our state monitor advocate I have the following suggestions;

- 1. Much of the plan seems to detail the work you do in terms of outreach via the Rakers Center, Career Centers- FJProgram, etc. One topic that has come up at the MSFW Health Council and has been reiterated by smaller growers that MMHP has contact with, is the inability to connect to workers . I certaubkt recognize that the Career Centers are there to serve this very purpose. Yet, agricultural employers are not comfortable in putting those listings up through a state entity/agency. I think it would be worthwhile, perhaps through a needs assessment to determine who would a grower trust and/or prefer to go to for employment connections? That information could inform how future services are structured and/or identify outside entities that could play a role in promoting jobs in agriculture.
- 2. As it relates to employers, I also see significant need for some targeted education on why it is important for an employer to conduct due diligence when engaging a labor contractor. My recollection is that there are already national resources that exist in this area that could be used, referenced, promoted. Ultimately it would be great if there was a national database that employers or folks serving FWs could check to see if a labor contractor is in good-standing, under investigation, etc. Again, I think it could be fairly seamless to integrate such information into outreach to employers in Maine.

Many thanks for inviting us to review and reflect on the proposed plan, we are appreciative of all that MEDOL does on behalf of our state's farmworkers.

Best-Barbara Ginley

Barbara Ginley, MPH Executive Director Maine Migrant Health Program PO Box 405 Augusta, ME 04332

ph: 207.622.9252 fax: 207.626.7612

**From:** Christopher Huh [mailto:CHuh@emdc.org] **Sent:** Tuesday, August 28, 2012 12:07 PM

To: Perez-Febles, Juan A.

**Subject:** FW: response to Juan @ Agricultural plan

I too have read the proposed 2012 Ag plan and do not have questions. Thank you.

Chris

From: Wendy Lord

Sent: Tuesday, August 28, 2012 11:07 AM

**To:** Christopher Huh

Subject: response to Juan @ Agricultural plan

I have read the 2012 Agricultural plan, and discussed the numbers with Juan Perez-Febles.

# Wendy

Wendy Lord, Career Advisor
NATIONAL FARMWORKER JOBS PROGRAM
EMDC Eastern Maine Development Corp
66 Spruce St Suite 1
Presque Isle, ME 04769
wlord@emdc.org
207-760-6333
FAX 760-6346

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